

Centennial Accord Plan

2003



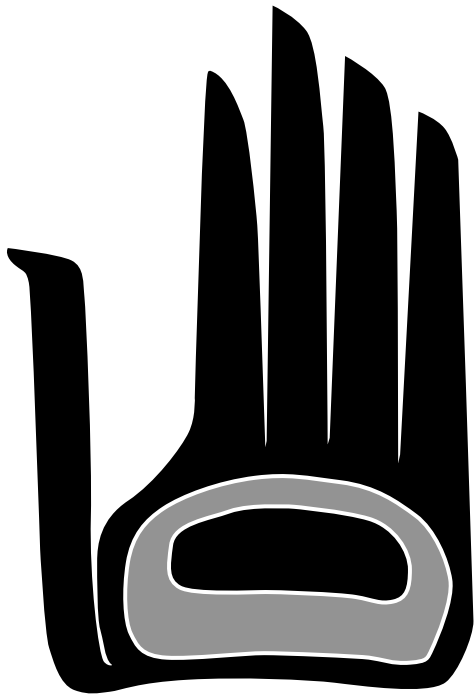
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We Are Working Together

Centennial Accord Plan

2003



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We Are Working Together



**Washington State
Department of Transportation**

Tribal Liaison Office
310 Maple Park Avenue SE
PO Box 47318
Olympia, WA 98504-7318
360-705-7025

We Are Working Together

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(oo yi y'use bi ta gwul - chul'h)



On the Cover: Mt. Baker Tunnel, Seattle

The entrance to the City of Seattle: Portal of the North Pacific on the eastern mouth of the tunnel (as seen in this 1941 photo) on old U.S. Highway 10 (now Interstate 90) and the floating bridge. The art incorporates dramatic stylized images in the cast concrete to let travelers know they are entering a unique and beautiful place with a rich tribal heritage.

Americans with Disabilities Act (ADA) Information

Persons with disabilities may request this information be prepared and supplied in alternate formats by calling the Washington State Department of Transportation ADA Accommodation Hotline collect 206-389-2839. Persons with hearing impairments may access Washington State Telecommunications Relay Service (TTY) at 1-800-833-6388, or Tele-Braille at 1-800-833-6385, or Voice at 1-800-833-6384, and ask to be connected to 360-705-7097.

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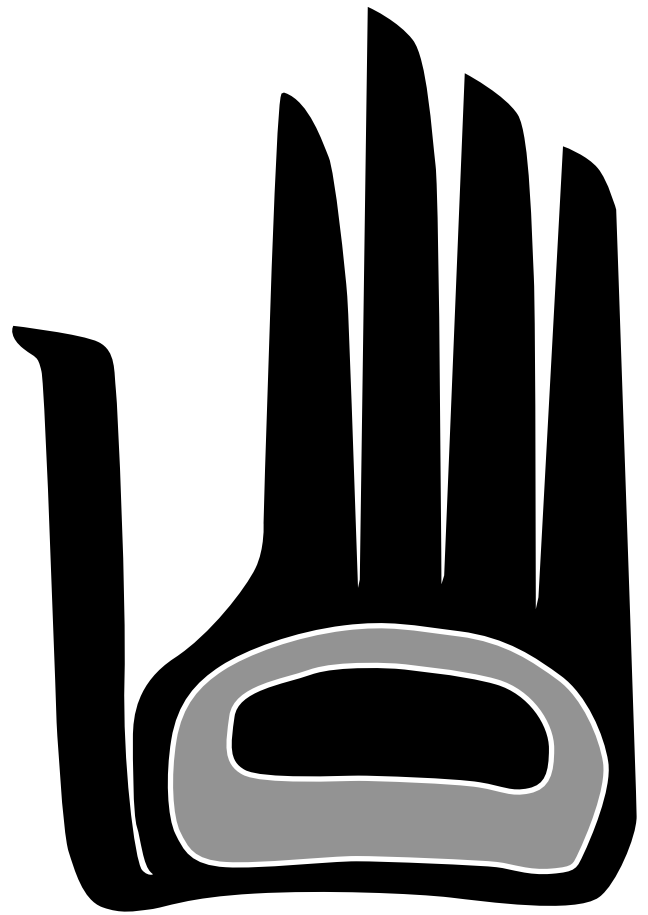
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Introduction



The Centennial Accord¹ was created in 1989 to commemorate one hundred years of statehood, with a promise to improve tribal/state relations. Based on mutual respect for each other's sovereign right to exist and to govern, it is an agreement between the State of Washington and the federally recognized Indian Tribes to work together to improve services to all of Washington's citizens. The Centennial Accord mandates that each state agency must have a procedure to implement effective government-to-government relations. This Washington State Department of Transportation (WSDOT) Centennial Accord Plan extends the agreement to include Tribal Nations who did not sign the Accord, preferring to hold to the original treaties of 1854/55 that also assured respectful government-to-government relations.

Expect changes. Intergovernmental consultation, cooperation and collaboration are being strengthened in the reauthorization of the Transportation Equity Act of the 21st Century, (TEA 21) and other federal and state legislation. This is a dynamic document, state and tribal decision makers and staff are invited to contribute to a continuous improvement process. The Tribal Consultation Policy and Dispute Resolution Process, as key elements, are standardized across the agency. The Plan includes a description of the agency with a focus on tribal access to services, programs and funding methods. It will be evaluated and updated in keeping with the Centennial Accord Implementation Guidelines published in 1999 by the Governor's Office of Indian Affairs.

Washington State is home to 29 federally recognized tribes with whom WSDOT maintains government-to-government relations, and a total of 37 tribes with varying degrees of interest in transportation projects. Four tribes are awaiting federal recognition; another four have reservations located outside of the state but have traditional homelands and treaty rights in Washington. This plan implements the consultation policy to provide consistent and equitable standards for working with the various tribes across the state, and flexibility in recognition that each federally recognized tribe is a distinctly sovereign nation.

The tribes and the Bureau of Indian Affairs (BIA) have their own road systems. There are 1,282 centerline miles of BIA roads in Washington. Some state, county, and city roads are physically located on, or serve, reservation lands and are included in the Indian Reservation Roads inventories. These are all opportunities for partnerships in a federal, state, local, tribal mix.

Tribes are organized across the nation and are fully participating in the TEA 21 Reauthorization process. The National Congress of American Indians produced a White Paper² to describe the current state of tribal transportation and future needs. It forms the basis of proposed TEA 21 Reauthorization legislative language. Tribes are contracting through the Indian Education and Self-Governance Act, PL 93-638, assuming responsibility for their own transportation systems, from planning, to construction and maintenance of their own facilities.

¹Centennial Accord – full text, see Appendix B.

²National Congress of American Indians, Tribal Transportation White Paper, 2003.

Though mandated in the 1989 agreement, this Centennial Accord Plan is offered in the spirit of cooperation. Many of the tribes and WSDOT offices already have good working relationships. The intention of this plan is to build on successes and to correct errors and omissions. Working with tribes and acknowledging their importance in our state is not new to the department. There are jurisdictional, historic, environmental, cultural, and economic reasons to include tribes in the work of the agency.

Government-to-government relations start at the administrative level between the Tribal Councils, Governor, Transportation Commission, and the Secretary of WSDOT; they go on to include personnel in planning, real estate, human services, cultural and environmental resource management, and building or maintaining capital projects. The bulk of the department's work with tribes is in Highways and Local Programs, Planning, Environmental Affairs, and the Office of Equal Opportunity regarding compliance of Tribal Employment Rights Ordinances (TERO). The Maintenance Division has mainly to do with local operations, safety, signage, and immediate contact with tribes as traffic moves in their locales. There is not a lot of tribal interaction with the Rail or Aviation Divisions, but there is potential for economic development. Consequently, they are included briefly in this plan, and should show expansion in the future. Directories for agency contacts and tribal offices are included to promote communication and improve access. As all of these tribal and state offices work together, open communication will assure the successful application of this plan.



There were smiles all around after the State Transportation Commission approved the scenic byway designation for U.S. 97 from the Canadian border to Pateros.

Front Row (l-r): Paula Connelley, WSDOT Scenic Byway Lead; Paula Hammond, WSDOT Chief of Staff; David Caddy, Mayor, City of Tonasket; Arnie Marchand, Colville Tribal Member; Anna DeChaira, Tonasket City Council/Chamber of Commerce; and Rachel Moses, Colville Tribal Transportation Planner

Back Row (l-r): Dale Sparber, Mayor, City of Omak; Chris Branch, U.S. 97 Byway Coordinator and Tonasket/Oroville City Planner; Judy Lorenzo, WSDOT Heritage Corridors Program Manager; Don Senn, WSDOT North Central Region Administrator; and Mike Mc Kee, WSDOT North Central Region Transportation Planner

Tribal Liaison Office



Colleen Jollie *Director*

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360-790-5522 (mobile)

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PO Box 47318

Olympia, WA 98504-7318

Fax: 360-705-6888

Secretary MacDonald appointed Colleen Jollie as the first Director of the Tribal Liaison Office. She is a descendent of the Turtle Mountain Chippewa of North Dakota, although she has lived in Washington State most of her life. Ms. Jollie holds a Graduate Degree in Public Administration from the Evergreen State College. She came to WSDOT from the Governor's Office of Indian Affairs. It has been the responsibility of the liaison to develop the Centennial Accord Plan, and to assure its implementation in the future.

For many years, the Tribal Liaison position was in the planning department and provided technical assistance to tribes. In September 2002, a Tribal Liaison was added to the State and Federal Liaison roster in the WSDOT Government Relations Office. The move elevated the position giving it more visibility to the tribes and to each department of the agency statewide. It is focused now on government-to-government relations, communication, and education to help the tribes and the agency work effectively with each other. The original concept of assigning a key person within an office to serve as a contact for tribal constituents has also been expanded. Tribal coordinators have been identified at regional offices and within certain departments to mobilize the resources of the agency locally. The Tribal Liaison works closely with each of those tribal coordinators.

To set the stage for better working relations, a government-to-government training program for WSDOT staff was developed regarding tribal sovereignty, history, and culture. Although the service is contracted through the Governor's Office of Indian Affairs, using their curriculum and trainer, the liaison has the primary responsibility to keep the training program pertinent to agency issues. The liaison works closely with the Northwest and Alaska Tribal Technical Assistance Program (TTAP) and the WSDOT Local Technical Assistance Program (LTAP) to promote training on a wide variety of subjects for tribal audiences. Training in four critical areas were developed in 2002: Data Input to the State Transportation Improvement Plan (STIP); Cultural Resources and the Historic Preservation Act – Section 106 Compliance; Financing Federal Aid Highways; and Tribal Employment Rights Ordinance Compliance in Highway Construction.

The Tribal Liaison provides support and guidance, introductions, and facilitation of meetings in situations of controversy or unforeseen opportunities. The office also provides support for legislative actions that relate to tribal matters and communicates with tribes regarding the same, i.e., SB 6188 – Transportation Efficiency and Accountability Act established environmental streamlining procedures. The liaison assisted the Environmental Affairs Office in establishing a process to effectively gain tribal participation in this community focused process.

The liaison strives to improve coordination and communication with the Bureau of Indian Affairs – Indian Reservation Roads Program and the Federal Highway Administration regarding tribal interests in transportation. This office is also a point of contact for other state agencies and tribal liaisons, nationally and regionally, regarding projects, resolving issues, or promoting partnerships in joint ventures.

Tribal Consultation Executive Order



Washington State
Department of Transportation

Executive Order

Number: E 1025.00

/s/ Douglas B. MacDonald
Secretary of Transportation

Date: February 19, 2003

Tribal Consultation

I. Introduction

This Executive Order establishes the commitment of Washington State Department of Transportation (WSDOT) employees to provide consistent and equitable standards for working with the various tribes across the state, and flexibility in recognition that each federally recognized tribe is a distinctly sovereign nation. The goal is to create durable intergovernmental relationships that promote coordinated transportation partnerships in service to all of our citizens.

II. Executive Order

WSDOT employees are directed to enter Tribal Consultation as outlined in this Executive Order with tribes who have ancestral homelands within the state boundaries, including those having reservations located outside of the state, on all decisions that may affect tribal rights and interests.

Consultation means respectful, effective communication in a cooperative process that works toward a consensus, before a decision is made or an action is taken. WSDOT is committed to government-to-government consultation with tribes on actions that affect identified tribal rights and issues. Consultation means more than simply informing affected tribes about what the department is planning to do. WSDOT acknowledges that consultation is a process, not a guarantee of agreement on outcomes. While dedicated to implementing constructive consultation practices, the department hopes to go beyond issue-specific consultation. The goal is to achieve mutually beneficial priorities, programs and interests.

Given the number of tribes, the extent of tribally reserved rights, and the size and the complexity of WSDOT, the department may not be able to identify in advance all issues that may be appropriate subjects for Tribal Consultation. However, as appropriate issues are identified, WSDOT will begin the consultation process.

**Tribal Consultation
Executive Order E 1025.00
February 19, 2003**

III. Rules and Procedures

A. Tribal Liaison Office Responsibilities

1. WSDOT's Tribal Liaison Office is responsible for assisting tribes and the department with implementing effective government-to-government relations.
2. The Tribal Liaison Office provides tribes with a point of contact within the department and helps tribes gain access to the appropriate staff to assist in understanding the department's programs, policies and procedures.
3. The Tribal Liaison Office assists the department in understanding tribal issues, making contacts, initiating consultation, and by promoting on-going coordination with tribes.
4. The Tribal Liaison Office facilitates meetings, negotiates intergovernmental agreements on behalf of the department and Secretary, and helps reconcile differences between the department and tribal governments.
5. There are many opportunities for consultation and communication. Operational activities will be conducted between appropriate department staff and tribal employees, with notification made to the Tribal Liaison Office.
6. Official government-to-government consultation will be conducted between the Secretary or his designee and the Tribal Council, with notification made to the Tribal Liaison Office.
7. The Tribal Liaison Office will strive to reply to tribal requests for state comments and consultation on tribal actions in a timely manner.

B. Department Employee Responsibilities

1. Notify the Tribal Liaison Office of any contact or consultation with tribal governments to ensure central continuity in all activities.
2. WSDOT will be proactive in consulting with tribes on all pending decisions that may affect their identified tribal rights and interests.

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3. As issues with tribal implications occur, WSDOT will cooperatively establish the manner and time frame for consultation with the appropriate tribal governments.
4. When a rule or policy process is planned that may affect tribal rights and interests, WSDOT will invite interested tribes to consult on a government-to-government basis, while at the same time encourage tribal participation as key members of any planned advisory group.
5. WSDOT will be receptive to all requests from tribal governments for intergovernmental consultation on actions, policies and issues within WSDOT's authority.
6. Memoranda of Agreement or Understanding, (MOA/MOU), and specific contracts, are individually negotiated with their scope of services or interests determined on a project or program basis.

IV. Additional Resources and Authorities

A. Unique Legal Status of Tribes

The unique legal status of tribes, rights reserved through historic treaties, and cultural interests throughout the state, creates a unique relationship between tribes and WSDOT. Tribes maintain sovereignty rights that predate the formation of the United States and the State of Washington and are guaranteed under treaties and federal laws. Since 1924, tribal members have been citizens of the United States and the State of Washington. Due to federal laws affirming tribal sovereignty, each reservation in the state constitutes a bordering jurisdiction for state agencies. WSDOT actions outside reservations may affect the tribes and the residents of reservations, just as the actions within reservations may affect the state and its citizens.

B. 1989 Centennial Accord

This Executive Order is based on the *Centennial Accord Between The Federally Recognized Indian Tribes In Washington State And The State Of Washington* of 1989. The *Centennial Accord* is published on the Intranet by the Governor's Office of Indian Affairs at <http://www.goia.wa.gov/govtogov/centennial.html>.

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C. 1999 Implementation Guidelines

This Executive Order is also based on the *Washington State/Tribal Government-to-Government Implementation Guidelines* of 1999. These guidelines were determined by a combined tribal and state taskforce, and are published on the Intranet by the Governor's Office of Indian Affairs at <http://www.goia.wa.gov/govtogov/guidelines.html>. That document's "Key Principles of Government-to-Government Policy" and "Guiding Principles of the Consultation Process" are excerpted here:

Section I, Item C: "Key Principles of Government-to-Government Policy"

"The State of Washington and the federally recognized tribes within the state have committed to improving and maintaining effective government-to-government relations. The state and tribes acknowledge that while successful intergovernmental communication and cooperation is not a guarantee of agreement on every issue, it will ensure a durable, effective working relationship to the benefit of all of the citizens of Washington State. Toward this goal the state and tribes will:

- "Work directly with each other in a government-to-government fashion, rather than as subdivisions of other governments.
- "Take appropriate steps to remove legal and procedural impediments to working directly and effectively with each other's governments and programs.
- "Endeavor to assure that each other's concerns and interests are considered whenever their actions or decisions may affect the other's governments or programs.
- "Encourage cooperation between tribes, the state and local government to resolve problems of mutual concern.
- "Work with federal agencies that have related responsibilities.
- "Incorporate these Principles into planning and management activities, including budget, program development and implementation, legislative initiatives, and ongoing policy and regulation development processes.
- "Coordinate and provide mutual assistance as the governments assume new regulatory and program management responsibilities."

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Section II, Item A: "Guiding Principles of the Consultation Process"

"The Centennial Accord (signed in 1989) and the New Millennium Agreement (signed in 1999) establish the basic framework and provide the general foundation for tribal/state relations. However, at the 1999 Tribal/State Summit held in Leavenworth, Washington, tribal and state elected officials agreed that a well-delineated communication process was needed in order to provide for a structure to "operationalize" the Accord into a day-to-day working relationship. In order to promote successful consultation and collaboration between tribal governments and the state, the following guiding principles should be followed:

1. **"Commitment to Consultation.** The state and tribes, and their agencies and departments, commit to consulting with each other on matters that directly affect the other.
2. **"Communication and consultation is a two-way street.** Communication between tribal governments and state agencies should be direct and involve two-way dialogue and feedback. Face-to-face meetings between the appropriate tribal and state policy and/or technical level staff can increase understandings of any proposed actions and enhance the development of effective outcomes and solutions. While face-to-face meetings are generally desirable, phone calls, correspondence and other methods of communication should also be utilized.
3. **"Build upon already established and on-going relationships between tribal/state officials.** Formation of specific actions, policy and program development can be more productive if conducted within the framework of an on-going relationship. Additionally, since consultation may demand significant use of time and resources of many individuals, this on-going relationship will assist in best utilizing these resources for all parties.
4. **"State governments are assuming greater responsibility under the federal government's policy of increased "devolution" of programs.** "Devolution" is the delegation of authorities or duties to a different level of government. Before the delegation of these programs, the tribes worked directly with the federal administrators on issues of concerns to them. The tribes have continuing interests in many of these delegated programs, and the tribal interests should be considered in the administration of these programs by the state.
5. **"Issues that require consultation should be identified as soon as possible in order to involve both parties early on in the process.** The need for consultation and who makes the determination may be difficult to define in all cases and will vary among the governments. Consultation can be initiated by either a tribal government or state agency. As a general rule, any decision or action which would directly

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impact or involve tribal governments, its land base and/or operation of its programs requires consultation with those tribal governments. To ensure sufficient time for input before decisions are made and actions taken, requires early involvement of all parties affected by those actions.

6. ***"State/Tribes should make every effort to respond to and participate in the consultation process.*** State/Tribal governments should strive to ensure that appropriate communication and response is provided to any request for consultation. If there is no response to an initial request to engage in consultation, it should not be assumed that the state or tribes have no interest in participating in this process. State/Tribal governments and organizational structures will vary. Good faith efforts should be undertaken to involve affected governments.
7. ***"Parties should ensure that consultation occur through the interaction of officials with comparable governmental stature and authority.*** In order to maintain the government-to-government relationship, tribes and state agencies are encouraged to send policy officials to represent those interests which require joint final decision-making on key policy issues. However, tribes or state agencies may identify program and/or technical staff to attend meetings when appropriate, depending on the nature of the issue, and where similar representation is anticipated.
8. ***"Honesty and integrity must be maintained by all parties in the consultation process.*** Mutual respect and trust are fundamental elements in establishing a good consultative relationship. Tribal and state officials should be open with information that may be beneficial or critical to making a decision or developing a position."

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Dispute Resolution Policy

While striving to improve government-to-government relations between the state and tribes, WSDOT has designed a fair and equitable plan to resolve any disputes that may arise in the future. Except as may be provided by separate written agreement or as otherwise mandated by law, a dispute between the parties shall be processed in the following manner:

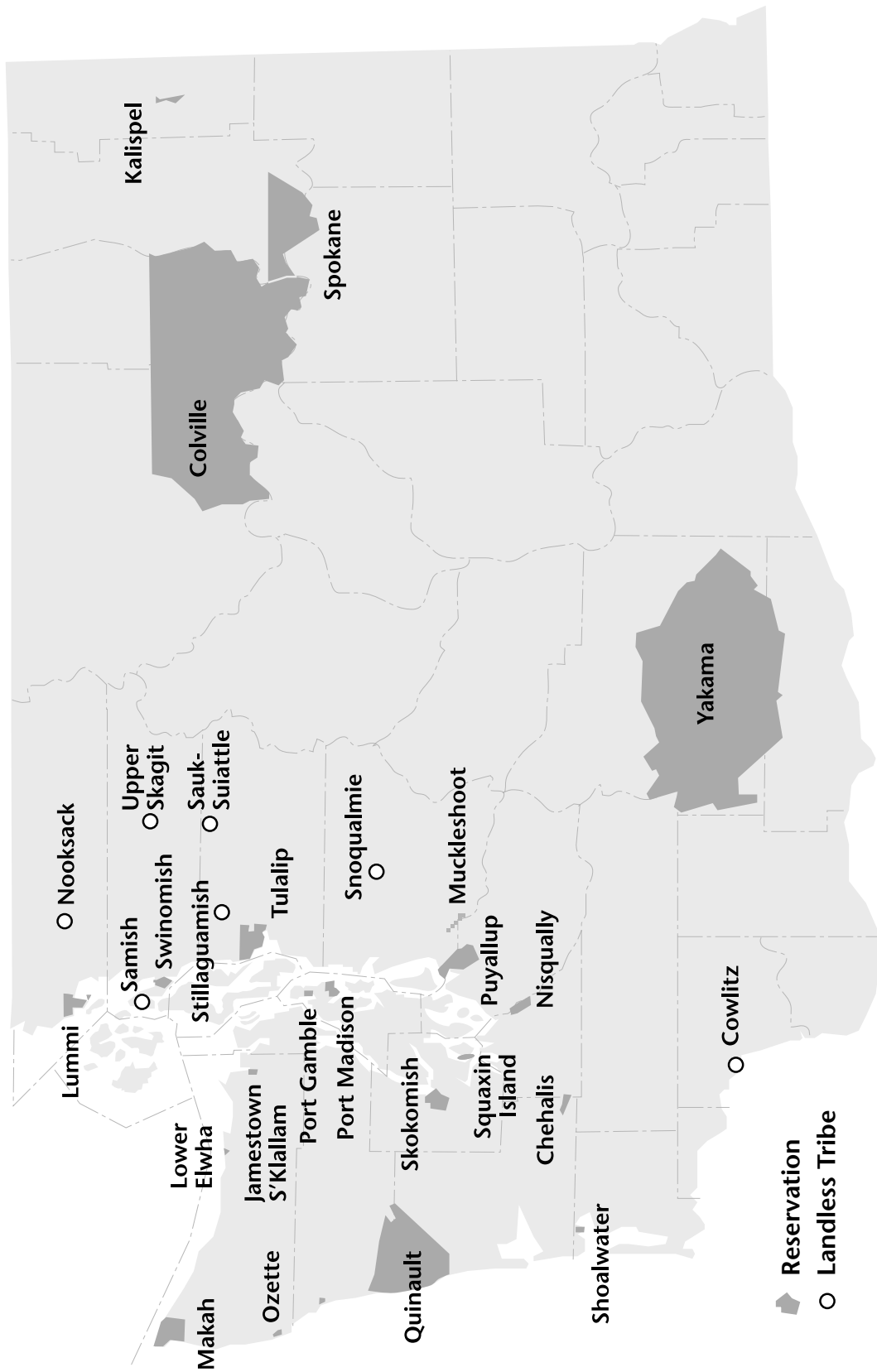
Step 1 — The aggrieved entity shall submit the issue in dispute, in writing, for resolution to the other party within a reasonable time period after the problem has arisen. The aggrieved party shall state the facts in dispute, and the remedy sought. If the subject of the dispute involves day-to-day issues within a specific WSDOT region or division, the WSDOT Regional Administrator or Division Director and a representative from the tribal government involved in the dispute shall meet at a mutually-agreed-upon site within thirty (30) days and attempt to resolve the matter.

Step 2 — If the dispute concerns a matter of policy outside of the realm of the WSDOT region or division, or if the WSDOT Regional Administrator or Division Director and the representative from the tribal government were unable to reach a resolution on the dispute at Step 1, the dispute shall be addressed at the level of the Secretary of Transportation. The Secretary of Transportation (or designee) shall meet at a mutually-agreed-upon site with a representative from the tribal government in an attempt to resolve the dispute within forty-five (45) calendar days after initiating the Step 2 procedure.

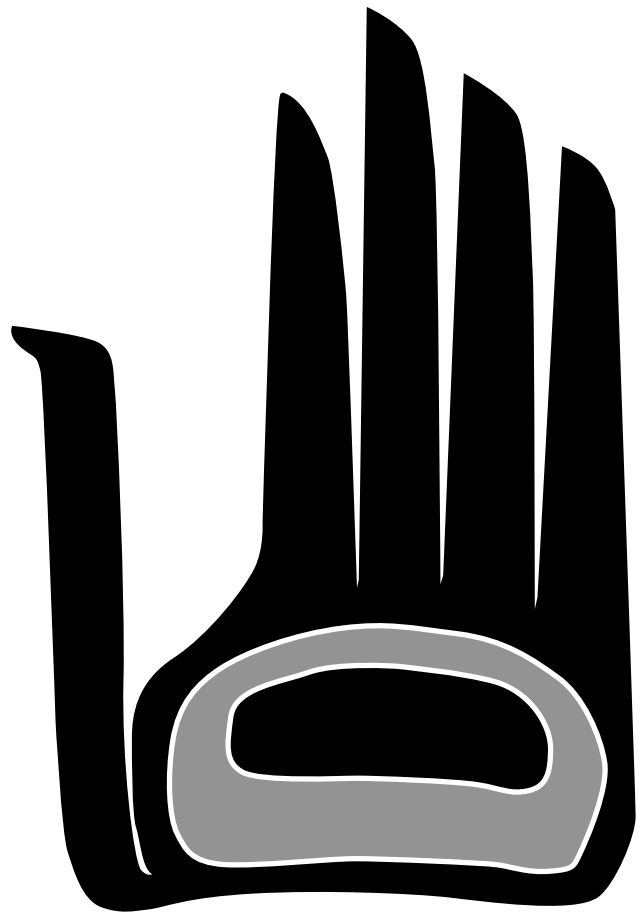
Step 3 — If the dispute cannot be resolved between the Secretary of Transportation and the tribal representative in Step 2, either party may request non-binding mediation. If the parties mutually agreed in writing to submit the matter to non-binding mediation, the parties shall then seek to mutually agree upon the mediation process, who shall serve as the mediator, and the time frame the parties are willing to discuss the disputed issue(s). The mediator selected by the parties must be experienced in tribal and transportation matters. The mediator may not impose a solution on the parties, and will have no authority to add to, subtract from, alter, amend, or modify any prior agreements between the parties without the written agreement of the parties. Each party shall bring to the mediation session, unless excused from doing so by the mediator, a representative from its side with full settlement authority. In addition, each party shall bring counsel and such other persons as needed to contribute to a resolution of the dispute. The mediation process is to be considered settlement negotiations for the purpose of all state and federal rules protecting disclosures made during such conference from later discovery or use in evidence; provided that any settlement executed by the parties shall not be considered confidential and may be disclosed. Each party shall pay its own costs for mediation and share equally in the cost of the mediator. The venue for the mediation shall be in Olympia, Washington, unless the parties mutually agree in writing to a different location.

Step 4 — If the dispute resolution process above is unsuccessful, or the parties cannot mutually agree as to the appropriateness of mediation, the mediation process, who shall serve as mediator, or the mediation is not successful, then either party may institute a legal action. If either of the parties elects to proceed with legal action, the parties agree, in an effort to reduce time and cost, to consider stipulating to facts, witnesses, exhibits, and discovery cut-off outside of the perimeters of the court rules. The parties shall not seek relief in a court of law until and unless each of the above procedural steps has been exhausted.

Indian Reservations and Landless Tribes Map



WSDOT Organization



Mission

The Washington State Department of Transportation (WSDOT) keeps people and business moving by operating and improving the state transportation system vital to our taxpayers and communities.

Management Principles

Leadership — We are committed that WSDOT provide strategic vision and leadership for our state's transportation needs.

Delivery and Accountability — We shall manage the resources taxpayers and the legislature entrusted to us for the highest possible return on value. We shall be disciplined in our use of both time and money. We shall account for our achievements, our shortcomings, and our challenges to citizens, to elected officials, and to other public agencies.

Business Practices — We shall encourage progressive business management practices in delivering cost-effective and efficient transportation services. Our quest for short-term cost savings and business process improvement shall be balanced by the long-term need to preserve and improve the state's transportation systems through sound fiscal planning and asset management.

Safety — Concern for the health and safety of the people who use and work on our transportation facilities shall be a paramount value in every area of our business.

Environmental Responsibility — Our work shall incorporate the principles of environmental protection and stewardship into the day-to-day operations of the department as well as the on-going development of the state's transportation facilities.

Excellence and Integrity — Our employees shall work in a culture of workplace excellence and diversity that encourages creativity and personal responsibility, values teamwork, and always respects the contributions of one another and of those with whom we do business. We shall adhere to the highest standards of courtesy, integrity, and ethical conduct. We shall encourage and recognize our employees' professionalism and their career growth.

Communications — We shall stress the importance of sharing clear, concise, and timely information with WSDOT employees, elected officials, community leaders, businesses, citizens and taxpayers, others in the transportation community, with the press and other media. We shall strive for the effectiveness of all our employees in meeting WSDOT's communications standards.

Services

WSDOT provides the people of Washington a safe, efficient, and dependable transportation system. That system is made up of our state highways, roads, bridges, and tunnels; ferries across Puget Sound; investments in passenger and freight rail; and, providing and promoting transportation options.

WSDOT planning activities also address facilities and services that the state does not own, but has an interest in. Those include: public transportation, freight rail, intercity passenger rail, marine ports and navigation, non-motorized transportation, and aviation.

Maintenance (Program M) — This program concerns protecting the highway infrastructure and functional operation of the highway system. Activities include patching potholes, fixing damage to guardrails, cleaning ditches and culverts, and performing bridge and tunnel maintenance.

Operations (Program Q) — This program is responsible for squeezing the most capacity out of the existing state highway system. Activities such as the timing of traffic signals, operating freeway ramp meters, and responding to and clearing of highway incidents are included in this program.

Preservation (Program P) — The preservation program addresses the long-term preservation of the existing highway infrastructure. Activities such as roadway resurfacing, the replacement of old bridges, seismic retrofit of bridges, and tunnel repair fall into this program.

Improvements (Program I) — The improvement program identifies deficiencies in the size, design, and/or location of the highway system and identifies potential solutions to address these deficiencies. The I Program is divided into four subprograms:

- **Mobility Subprogram** — builds projects that create new roads and/or modifies existing highways to reduce congestion.
- **Safety Subprogram** — modifies existing highways to increase safety.
- **Economic Initiative Subprogram** — modifies existing highways to support the economic health of the state.
- **Environmental Retrofit Subprogram** — corrects outdated features that are primarily drainage related on existing highways that otherwise could lead to damage to the environment.

Organization

Washington Transportation Commission

The Washington State Transportation Commission is the board of directors for WSDOT. The Commission is a seven-member voluntary citizen's board, whose members are appointed by the Governor with the consent of the Senate. The regular meeting schedule for 2003 is the third Wednesday and Thursday of each month at WSDOT headquarters in Olympia. The Transportation Commission also meets several times throughout the year at various sites across the state to discuss state and regional transportation issues and concerns from local area residents, officials, and community leaders. Tribes are included on the invitation list of local elected officials.

The Commission is empowered to:

- Propose legislation related to transportation.
- Establish transportation policies of the state.
- Direct the Secretary of Transportation to prepare and submit a statewide transportation plan.
- Approve and propose the biennial and supplemental transportation budgets.
- Approve issuance and sale of highway bonds.
- Exercise other powers as vested in it by state law (RCW 47.01).

Secretary of Transportation

The Secretary of Transportation is appointed by the Transportation Commission and is the executive for WSDOT. Secretary Douglas MacDonald was appointed by the Commission in April 2001 and has responsibility for six divisions, six offices, and six regions throughout the state.

Divisions

Aviation Division
 Engineering and Regional Operations Division
 Finance and Administration Division
 Highways and Local Programs Division
 Public Transportation and Rail Division
 Washington State Ferries

Offices

Audit Office
 Communications Office
 Office of Equal Opportunity
 Office of Freight Strategy and Policy
 Governmental Liaison Office
 Transportation Economic Partnership Office

Regions

Northwest Region, headquarters in Seattle

Olympic Region, headquarters in Tumwater

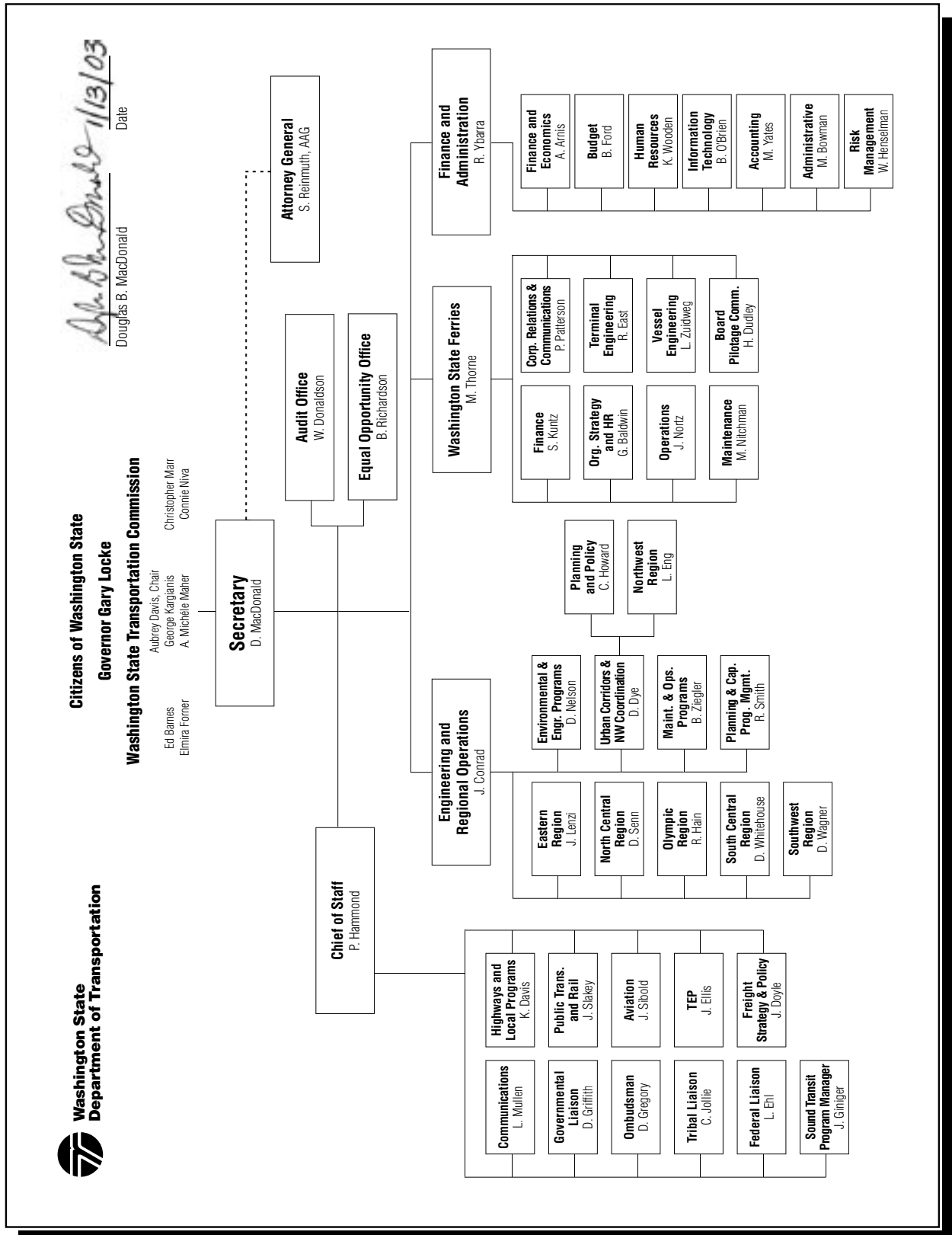
Southwest Region, headquarters in Vancouver

North Central Region, headquarters in Wenatchee

South Central Region, headquarters in Yakima

Eastern Region, headquarters in Spokane

Organization Chart



Headquarters Roster

Medical Emergencies 9-911
 Safety Office Emergency No. Ext. 7099
 Monday thru Friday – 8:00 a.m. to 5:00 p.m.

WSDOT Roster Effective March 2003

Information/Receptionist 360-705-7000
 Conference Room Scheduling Ext. 7000

PUBLIC	LOCATION	PUBLIC	LOCATION
705-7070 TRANSPORTATION COMMISSION	MS: 47308	705-7800 Maintenance and Operations Programs	MS: 47350
Rose, Chris – Administrator	1D16	705-7801 Ziegler, Brian – Director	1C1
McGuire, Shelly – Executive Assistant	1D16	705-7800 Leppard, Sue – Executive Assistant	1C1
Fax 360-705-6802		Fax 360-705-6823	
705-7054 SECRETARY OF TRANSPORTATION	MS: 47316	705-7881 Equipment and Facilities	MS: 47328
MacDonald, Doug	1D7	705-7880 DeBolt, Fred – Administrator	1C3
Aldridge, Jo – Executive Assistant	1D7	705-7881 Pacifico, Barb – Secretary Supervisor	1C3
Fax 360-705-6800		Fax 360-705-6829	
705-7027 CHIEF OF STAFF	MS: 47316	705-7850 Highway Maintenance	MS: 47358
Hammond, Paula	1D7	705-7851 Christopher, Chris – State Maintenance Engineer	1C8
Stallings, Donna – Executive Assistant	1D7	705-7859 Gullekson, Lisa – Secretary Supervisor	1C8
705-7806 Gregory, Deb – Special Assistant for Policy & Admin.	1D7	Fax 360-705-6823	
Fax 360-705-6800		704-6340 Motor Carrier Services	MS: 47367
705-7003 AUDIT OFFICE	MS: 47320	704-6346 Diseth, Barry – Administrator	OLY
705-7004 Donaldson, Wayne – Director	3C26	704-6347 Yousof, Halimah – Secretary	
705-7003 Reichel, Betty – Secretary	3C26	Fax 360-704-6350	
Fax 360-705-6865		705-7805 Resource Management	MS: 47350
651-6300 AVIATION DIVISION (1-800-552-0666)	MS: NB82-300	705-7800 Leppard, Sue – Resource Mgr./Agency Trans. Officer	1C1
Sibold, John – Director	Arlington	705-7809 Larson, Stephanie – Secretary Supervisor	2D8
Jensen, Marilee – Executive Assistant	Arlington	Fax 360-705-6818	
Fax 360-651-6319		705-7099 Safety and Health	MS: 47311
705-7075 COMMUNICATIONS OFFICE	MS: 47322	705-7099 Swartz, Rex – Manager	1B24
Mullen, Linda – Director	1D26	Fax 360-705-6837	
Crabbe, Molly – Executive Assistant	1D26	705-7281 Traffic Operations	MS: 47344
*Rasmussen, Gerry – Graphic Communications	3D20	705-7280 Rickman, Toby – State Traffic Engineer	Quince St.
Fax 360-705-6803 *Fax 360-705-6843		705-7281 Thorniley, Vicky – Administrative Secretary	Quince St.
705-7032 ENGINEERING AND REGIONAL OPERATIONS DIVISION	MS: 47316	543-3331 *Briglia, Pete – ITS Program Manager, SEA	MS: 354802
Conrad, John – Assistant Secretary	1D27	Fax 360-705-6826 *Fax 206-685-0767	
Klein, Angie – Executive Assistant	1D27	705-7151 Planning and Capital Program Management	MS: 47370
Fax 360-705-6803		705-7151 Smith, Rick – Director	1A2
705-7100 Environmental and Engineering Programs	MS: 47324	705-7151 Leonard, Jan – Executive Assistant	1A2
705-7101 Nelson, Don – Director	1D21	Fax 360-705-6812	
705-7100 Mysorski, Michelle – Executive Assistant	1D21	705-7153 Capital Program Management	MS: 47325
Fax 360-705-6828		705-7130 Butters, Aaron – Manager, Program Development	3C4
705-7200 Bridge and Structures	MS: 47340	709-5500 Selstead, Greg – Manager, Program Delivery	3C3
705-7207 Weigel, Jerry – Bridge and Structures Engineer	Lacey	Fax 360-705-6812	
705-7201 Bond, Raetta – Secretary Supervisor	Lacey	709-5500 Geographic Services	MS: 47384
570-2556 *Coffman, Harvey – Bridge Preser. Engr.	OLY - 47341	709-5515 Spencer, George – Manager	TUM
Fax 360-705-6814 *Fax 360-570-2553		709-5500 Trask, Dianne – Secretary Administrative	TUM
705-7820 Construction	MS: 47354	Fax 360-709-5599	
705-7821 Dayton, Kevin – State Construction Engineer	2B26	Program Administration and Support	MS: 47370
705-7822 Dunnagan, Cynthia – Secretary Supervisor	2B26	Hanson, Tom – Manager	1A3
Fax 360-705-6809		Research	MS: 47370
705-7104 Consultant Services	MS: 47323	705-7974 Oman, Leni – Manager	1B3
705-7102 Rice, Mike – Director	Quince St.	705-7971 Johnson, Kim – Secretary	1B3
Fax 360-705-6838		Fax 360-705-6911	
705-7230 Design	MS: 47329	570-2350 Transportation Data	MS: 47380
705-7231 Peterfeso, Harold – State Design Engineer	2B	570-2427 Horton, Roger – General Manager	TDO
705-7230 Gordon, Tyler – Secretary	2B	570-2452 Meyers, Jan – Collision Data and Analysis Branch Manager	TDO
705-7840 Printing Services	SB1	570-2350 Krause, Tricia – Office Support	TDO
Fax 360-705-6815		Fax 360-570-2400	
705-7481 Environmental Affairs	MS: 47331	705-7962 Transportation Planning	MS: 47370
705-7480 Alb, Jerry – Director	2A	705-7958 Probart, Ashley – Manager	1A3
705-7482 Stowe, Kelly – Secretary Supervisor	2A	705-7962 Hubbard, Angel – Secretary Supervisor	1A3
Fax 360-705-6833		Fax 360-705-6813	
709-5400 Materials Laboratory	MS: 47365	464-1220 Urban Corridors and Northwest Coordination	MS: TB85-95
709-5401 Baker, Tom – State Materials Engineer	TUM	464-1221 Dye, Dave – Administrator	SEA
709-5402 Curtis, Teresa – Secretary Supervisor	TUM	464-1220 Shore, Lynette – Executive Assistant	SEA
Fax 360-709-5588		Fax 206-464-1190	
705-7307 Real Estate Services	MS: 47338	464-1260 Planning and Policy Office	MS: TB55
705-7305 Gallinger, Gerald – Director	2D9	464-1269 Howard, Charlie – Director	SEA
705-7307 Miller, Colleen – Administrative Assistant	2D9	464-1262 Thompson, Laura – Secretary	SEA
Fax 360-705-6811		Fax 206-464-6084	
705-7111 Resource Assistance	MS: 47324	440-4000 Northwest Region	MS: NB-82
705-7113 Munday, Cheryl – Manager	3D7	440-4706 Eng, Lorena – Region Administrator	SEA
705-7111 Ray, Sharon – Secretary Administrative	3D7	440-4705 McPike, Teri – Executive Assistant	SEA
Fax 360-705-6828		Fax 206-440-4808	
		324-6000 Eastern Region	
		324-6010 Lenzi, Jerry – Region Administrator	SPO
		324-6011 Cadagan, Gina – Executive Assistant	SPO
		Fax 509-324-6005	

(continued)

WSDOT Roster

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Effective March 2003

PUBLIC		LOCATION	PUBLIC		LOCATION
667-3000	North Central Region		704-6355	Risk Management	MS: 47418
667-3001	Senn, Don – Region Administrator	WEN	704-6363	Henselman, Bill – Manager	3A5
667-3002	Shaw, Merry Kay – Executive Assistant Fax 509-667-2940	WEN	704-6358	McReynolds, Sally – Office Support Supervisor Fax 360-705-6367	3A5
357-2600	Olympic Region	MS: 47440	705-7932	FREIGHT STRATEGY AND POLICY OFFICE	MS: 47322
357-2605	Hain, Randy – Region Administrator	TUM	705-7931	Doyle, John – Director	3D26
357-2659	Blake, Molly – Executive Assistant Fax 360-357-2601	TUM	705-7932	Hickey, Teri – Administrative Secretary Fax 360-705-6828	3D26
577-1600	South Central Region		705-7022	GOVERNMENTAL LIAISON OFFICE	MS: 47318
577-1620	Whitehouse, Don – Region Administrator	YAK	705-7023	Griffith, Don – Legislative & Strategic Mgmt. Relations Dir.	1D21
577-1621	Dahl, Beverly – Executive Assistant Fax 509-577-1603	YAK	705-7024	Ehl, Larry – Federal Liaison Office, Director	1D21
905-2000	Southwest Region	MS: S-15	705-7025	Jollie, Colleen – Tribal Liaison Office, Director	1D21
905-2001	Wagner, Donald – Region Administrator	VAN	705-7022	Andrews, Vinceta – Executive Assistant Fax 360-705-6888	1D21
905-2002	Dabney, Kim – Executive Assistant Fax 360-905-2222	VAN	705-7370	HIGHWAYS AND LOCAL PROGRAMS DIVISION	MS: 47390
705-7090	EQUAL OPPORTUNITY OFFICE	MS: 47314	705-7871	Davis, Kathleen – Director	2C7
	Richardson, Brenda – Director	3C23	705-7372	See, Sally – Executive Assistant Fax 360-705-6822	2C27
705-7090	Reyes, Eflada – Executive Assistant Fax 360-705-6801	3C23	705-7373	Neff, Joan – Fiscal and Budget Manager	2C27
705-7400	FINANCE AND ADMINISTRATION DIVISION	MS: 47400	705-7389	Tax, Stephanie – Manager, Program Management	2C17
	Ybarra, Richard – Assistant Secretary	3A6	705-7375	King, Al – Engineer, Operations	2C17
705-7400	Norris, Joyce – Executive Assistant Fax 360-705-6886	3A6	705-7371	Robbins, Elizabeth – Manager, Community Economic Partnerships	2C17
705-7337	Accounting Services	MS: 47420	705-7390	Sunde, Daniel – Engineer, Technology Transfer Fax 360-705-6858	2C12
	Yates, Marcy – Chief	3B	705-7806	OMBUDSMAN	MS: 47316
705-7337	Thomas, Kaye – Administrative Secretary	3B		Gregory, Deb Fax 360-705-6800	1D7
705-7514	TRAINS Help Desk Fax 360-705-6804	3B	705-7921	PUBLIC TRANSPORTATION AND RAIL DIVISION	MS: 47387
705-7730	Administrative Services	MS: 47408	705-7920	Slakey, Jim – Director	1A26
705-7731	Bowman, Marilyn – Manager	3A26	705-7921	Huston, Tami – Executive Assistant Fax 360-705-6820	1A26
705-7732	Rohr, Jan – Secretary Supervisor	3A26		Public Transportation and Commute Options	MS: 47387
705-7433	Directional Documents/Engineering Publications	3A26	705-7919	Silins, Cathy – Manager	1A18
705-7430	Engineering Publications (Fax 360-705-6861)	SD3	705-7923	Mendoza, Debra – Office Coordinator Fax: 360-705-6820	1A18
705-7755	Facilities Services	3A23		Rail Office	MS: 47387
570-6710	Purchasing/Materials & Surplus (Fax 360-570-6725)	Pt. Plaza	705-7905	Uznanski, Ken – Manager	SA17
705-7749	Stockroom (Fax 360-705-6824)	SA4	705-7901	Olson, Teresa – Secretary Supervisor Fax 360-705-6821	SA17
705-7761	*Records and Information Services	3D23	664-2910	TRANSPORTATION ECONOMIC PARTNERSHIPS DIVISION	MS: 47395
705-7765	*Engineering Records	SC17	664-2900	Ellis, Jerry – Director	Bristol Court
705-7425	*Forms	1A2	664-2900	Ross, Laurie – Executive Assistant Fax 360-664-2770	Bristol Court
705-7750	Library (Fax 360-705-6831)	SC5	515-3400	WASHINGTON STATE FERRIES	MS: TB32
705-7770	Mail Center (Fax 360-705-6824)	SA7	515-3401	Thorne, Mike – Chief Executive Officer	SEA
	Fax 360-705-6848 *Fax 360-705-6808		515-3402	Welch, Barbara – Executive Assistant	SEA
705-7500	Budget Services	MS: 47422	515-3403	Kuntz, Sam – Director of Finance	SEA
	Ford, Bill – Chief	3A14	515-3435	Baldwin, Gary – Director, Human Resources	SEA
705-7500	Blaney, Karen – Administrative Secretary	3A14	515-3430	Nortz, Joe – Director of Marine Operations	SEA
705-7543	Sergeant, Suzanne – Asst. Budget Chief, Planning	3A14	464-6400	Ferry System Information Fax 206-515-3404	
705-7541	Stewart, Stephen – Asst. Budget Chief, Operations Fax 360-705-6884	3A14	586-1140	TRANSPORTATION IMPROVEMENT BOARD	MS: 40901
705-7525	Financial Planning and Economic Analysis	MS: 47400	586-1139	Gorcester, Steve – Executive Director	OLY
705-7525	Arnis, Amy – Manager	3A6	586-1146	Bushman, Eileen – Executive Assistant Fax 360-586-1165	OLY
705-7942	Meale, Eric – Manager, Economics Fax 360-705-6886	3A6	705-7845	MISCELLANEOUS	
705-7040	Human Resources	MS: 47310	753-4960	WSDOT Employee Commute Program	MS: 47387
705-7733	Recruitment Hotline			Reinmuth, Stephen – Chief Counsel, A.G. Fax 360-586-6847	MS: 40113
705-7041	Wooden, Kermit – Director	1B14	357-4018	Cafeteria	SD11
705-7042	Cunningham, Sue – Executive Assistant	1B14	753-9480	Mathis, Dan – FHWA Administrator Fax 360-753-9889	MS: 40943
705-7087	Sanders, Adrienne – Operations Manager	1B14	725-0030	General Administration Parking Services	MS: 41025
705-7043	Bogue, Carol – Consultant/Classification Manager	1B14			
705-7049	Olson-Murphy, Cathi – Recruitment Retention Manager	1B14			
705-7048	South, Michael – Labor Relations Manager	1B14			
705-7061	*Acree, Dave – Staff Development Supervisor Fax 360-705-6807 *Fax 360-705-6845	1B19			
705-7600	Information Technology	MS: 47430			
705-7601	O'Brien, Bill – Chief Information Officer	Legion			
705-7602	Lee, Marchelle – Administrative Assistant	Legion			
705-7050	*Help Desk/Computer Ctr. Ops/Data Entry	MS: 47427 SD4			
705-7775	**Telecommunications Help Desk Fax 360-705-6927 *Fax 360-705-6825 **Fax 360-705-6848	MS: 47411 3A25			

*For corrections or changes, contact Jeri Brown at 360-705-7000.

Regions

WSDOT is divided into six regions that are responsible for planning, developing, constructing, maintaining, and operating transportation projects, facilities, and services within each of their respective areas. For the most part, our regions operate as a microcosm of the entire agency in that many of the services available statewide are provided by the region to the constituencies within their boundaries. Whereas the WSDOT Tribal Liaison serves a statewide audience, each region has a tribal coordinator assigned from among existing staff to serve as interface between the regional office and local tribes. They help the agency Tribal Liaison, regional office staff, and local tribes, counties, and cities work together. That person is either in Highways and Local Programs or Planning as both of these offices frequently work with tribes. The Tribal Coordinator is listed with the Regional Administrator throughout this section.

Services and Programs Available to the Tribes

Programs and/or services available to the tribes within or near WSDOT regions are the same as those available statewide.

Funding Methods Currently Available to the Tribes

Funding distribution methods available to the tribes within or near WSDOT regions are the same as those available statewide. WSDOT's regional offices are most likely to be involved with funding opportunities provided by federal grants, which are administered through Regional Transportation Planning Organizations (RTPOs) and Metropolitan Planning Organizations (MPOs). The regions' Transportation Planning Offices will work with their respective RTPOs and MPOs to ensure that tribal governments are aware of these funding opportunities and have a chance to compete for federal funds.

Consultation Process and Procedures

Each region of the state has distinct transportation needs that reflect its communities, environment, and economy. Within reason, every effort is made to conduct face-to-face, cooperative meetings, often in a multi-jurisdictional situation.

Our consultation process ideally begins in the planning and development stages of region and local program projects where tribes are invited to participate at RTPO and MPO meetings, joining the state, counties, and cities in planning for the future. This consultation continues through the scoping and design phase with project-specific meetings held to address any issues. Continued consultation may occur as needed via project monitoring by the tribes throughout the construction and maintenance phases.

Northwest Region

Region Administrator: Lorena Eng, 206-440-4706

Deputy Region Administrator: Ron Paananen, 206-440-4693

Tribal Coordinator: Terry Paananen, 206-440-4734
e-mail: PaananT@wsdot.wa.gov

The Northwest Region serves communities within King, Whatcom, Island, Skagit, and Snohomish Counties. There are 10 tribes served by the Northwest Region.

- Lummi Nation
- Muckleshoot Tribe
- Nooksack Tribe
- Samish Nation
- Sauk-Suiattle Tribe
- Snoqualmie Tribe
- Stillaquamish Tribe
- Swinomish Tribe
- Tulalip Tribes
- Upper Skagit Tribe

Olympic Region

Region Administrator: Randall Hain, 360-357-2605

Tribal Coordinator: Bob Jones, 360-357-2630
e-mail: JonesR@wsdot.wa.gov

The Olympic Region serves the communities within Clallam, Grays Harbor, Jefferson, Kitsap, Mason, Pierce, and Thurston Counties. There are 13 tribes served by the Olympic Region.

- Chehalis Confederated Tribes
- Hoh Tribe
- Jamestown S’Klallam Tribe
- Lower Elwha Klallam Tribe
- Makah Tribe
- Nisqually Tribe
- Port Gamble S’Klallam Tribe
- Puyallup Tribe
- Quileute Tribe
- Quinault Nation
- Skokomish Tribe
- Squaxin Island Tribe
- Suquamish Tribe

Southwest Region

Region Administrator: Donald Wagner, 360-905-2001

Tribal Coordinator: Faye Jenkins-Edwards, 360-905-2054
e-mail: JenkinF@wsdot.wa.gov

The Southwest Region serves communities within Clark, Cowlitz, Klickitat, Lewis, Skamania, and Wahkiakum Counties. There are two federally recognized tribes served by the Southwest Region. The Chinook Tribe's federal recognition is pending and WSDOT maintains communication with the tribe. Their historical presence, especially in relation to the Lewis and Clark Bicentennial, is valuable. Usual and Accustomed Areas for the Warm Springs Tribe and Yakama Nation are within the Southwest Region.

- Cowlitz Tribe
- Shoalwater Bay Tribe
- Spokane Tribe
- Warm Springs
- Yakama Nation

North Central Region

Region Administrator: Don Senn, 509-667-3001

Tribal Coordinator: Mike Andreini, 509-667-2909
e-mail: AndreiM@wsdot.wa.gov

The North Central Region serves communities within Chelan, Douglas, Grant, and Okanogan Counties. One half of the Colville Reservation is located in the North Central Region. The Wanapum Band of the Yakama Nation is also located in this region.

- Confederated Tribes of the Colville Reservation
- Wanapum Tribe

South Central Region

Region Administrator: Don Whitehouse, 509-577-1620

Tribal Coordinator: Bob Hooker, 509-577-1631

The South Central Region serves communities within Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Yakima, and Walla Walla Counties. The Usual and Accustomed Areas of the Nez Perce, Umatilla, and Warm Springs Tribes are also located in this region.

Tribes served:

- Nez Perce
- Yakama Nation
- Umatilla, Cayuse, Walla Walla
- Warm Springs

Eastern Region

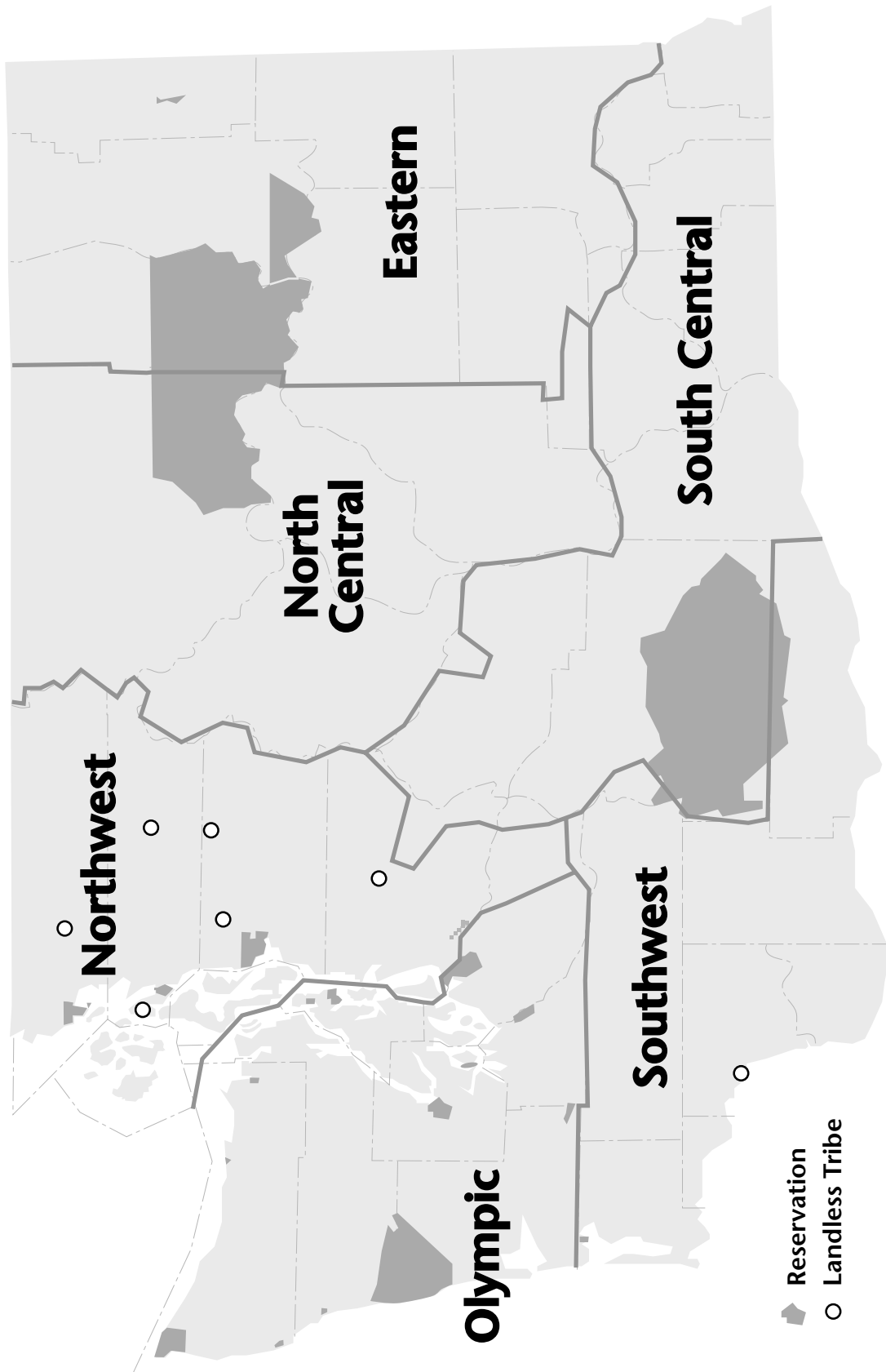
Region Administrator: Jerry Lenzi, 509-324-6010

Tribal Coordinator: Keith Martin, 509-324-6095
e-mail: MartinK@wsdot.wa.gov

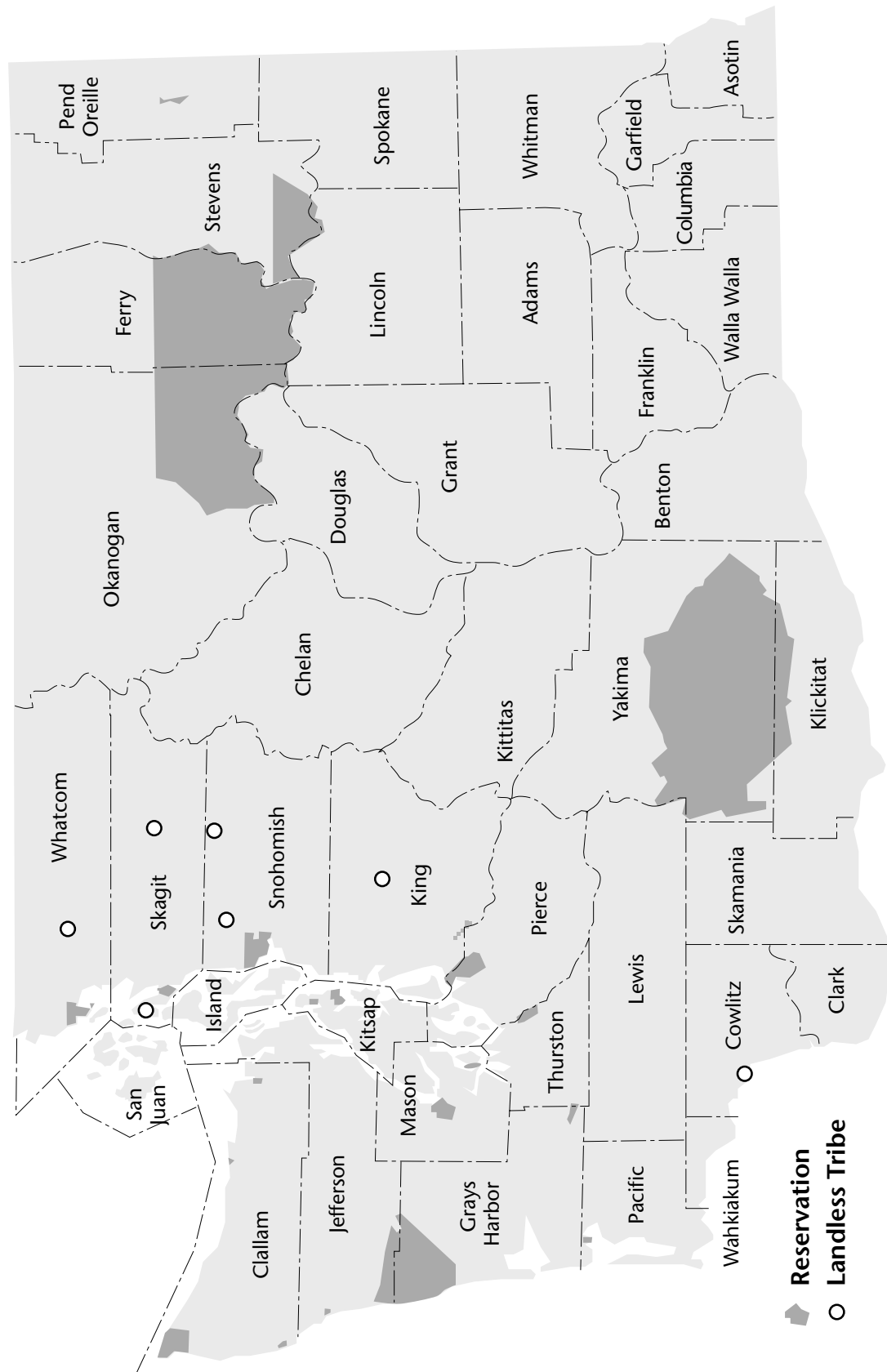
The Eastern Region serves the communities within Adams, Ferry, Lincoln, Pend Oreille, Spokane, Stevens, and Whitman Counties. There are three tribes located in the region and historical homelands for the Coeur d'Alene and Nez Perce Tribes Tribes served.

- Confederated Tribes of the Colville Reservation
- Coeur d'Alene
- Kalispel Tribe
- Nez Perce
- Spokane

Region Map



County Map



Region Roster

WSDOT Region Roster

Effective March 2003

	EASTERN 509-324-6000 509-324-6005 Spokane	NORTH CENTRAL 509-667-3000 509-667-2940 Wenatchee	NORTHWEST 206-440-4000 206-440-4808 Seattle (MS: NB-82) prefix 440	OLYMPIC 360-357-2600 360-357-2601 Tumwater (MS: 47440) prefix 357 and 704	SOUTH CENTRAL 509-577-1600 509-577-1603 Yakima	SOUTHWEST 360-905-2000 360-905-2222 Vancouver (MS: S-15) prefix 905
Information/Receptionist Fax						
4-digit Dialing Locations	prefix 324	prefix 667			prefix 577	
Regional Administrator	Jerry Lenzi 324-6010	Don Senn 667-3001	Lorena Eng 440-4706	Randy Hain 357-2605	Don Whitehouse 577-1620	Donald Wagner 905-2001
Executive Assistant	Gina Cadagan 324-6011	Merry Kay Shaw 667-3002	Teri McPike 440-4705	Molly Blake 357-2659	Beverly Dahl 577-1621	Kim Dabney 905-2002
Deputy Regional Administrator			Ron Paananen 440-4693			
Administrative Officer/ Human Resources	Ed McCallister 324-6060	Shirley Sebastian 667-3006 Kay Graybill 667-3007 – HR	Mary K. Schuller 440-4075 – Admin. Kirby Collins 440-4062 – HR	Bob Otis 357-2613	Janet Kinney 577-1606 – Admin. Risa Foley 577-1608 – HR	Gene Beardsley 905-2220 Kathy Hammer 905-2221 – HR
Facilities Engineer/Manager	Russ Humphreys 324-6545	Greg Johnson 667-3070	Jim Shaw 768-5705	Scott Woodruff 357-2611	Bob Hicks 577-1904	Denny Bolton 905-2021
Financial Services Manager	Roxy Mikkelsen 324-6030	Pam Courchane 667-3011	Ben Y. Hanchinamani 440-4092	Tracy West-Phillips 357-2634	Linda Raber 577-1640	Bob Loveless 905-2046
IT Manager	Brandon Traynham 324-6042	Ron Vierra 667-2925	Doug Babson 440-4427	Jim Hamre 357-2775	Ray Newcomb 577-1671	Dave Paradis 905-2044
OEO Liaison	George Laue 324-6018	Julie Loughheed 667-3028	Melody Stell 440-4680	Liane Carlson 357-2790	Julie Loughheed 577-1616	Liane Carlson 905-2129
Public Affairs/Communications	Al Gilson 324-6015	Jeff Adamson 667-2815	Mark Briant 440-4698	Lloyd Brown 357-2789	Mike Westbay 577-1617	Jilayne Jordan (acting) 905-2058
Purchasing/Supply	Rick Hess 324-6077	Todd Murren 667-3023	Linda Olson 440-4104	Kimberly Williams 357-2645	Elvira Loran 577-1611	Harry Speelman 905-2286
Safety Manager	Loran Dantzler 324-6070	Phil Rogers 667-3009	Sam Swenson Jr. 440-4073	Terry Barnett 357-2615	Wayne Frudd 577-1610	Ralph Martinez 905-2010
TDM/Employee Commute Programs	Jana Augenstine 324-6188	Fred Suter 667-2908	Pam Mchnes 440-4735		Jeff Sommerville 577-1632	Faye Jenkins Edwards 905-2054
Asst. Regional Admin. Region Programs and Services			Amir Rasaie 440-4762			
Program Management	Harold White 324-6025	Paul Mahre 667-2900	Azim Sheikh-Taheri 440-4761	Eric Soderquist 357-2602	Todd Trepanier 577-1626	Glenn Schneider 905-2030
Asst. Regional Administrators Mt. Baker			Todd Harrison (360) 747-5990			
Snohomish			Klara A. Fabry 440-4695			
King			Ron Paananen (acting) 440-4653			
Assistant Regional Administrator Engineering	Keith Metcalf 324-6020	Dan Sarles 667-3040		Pasco Bakotich III 357-2658	George Hilsinger 577-1700	
Project Development Engineer	Mike Frucci 324-6024	Kirk Berg Eng. Mgr. 667-3030	Rick Mitchell Coordinator 440-4674	Ron Landon 357-2798 John Wynands 357-2606		Bart Gernhart 905-2012

WSDOT Region Roster***Effective March 2003**

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	EASTERN 509-324-6000 509-324-6005 Spokane	NORTH CENTRAL 509-667-3000 509-667-2940 Wenatchee	NORTHWEST 206-440-4000 206-440-4808 Seattle (MS: NB-82) prefix 440	OLYMPIC 360-357-2600 360-357-2601 Tumwater (MS: 47440) prefix 357 and 704	SOUTH CENTRAL 509-577-1600 509-577-1603 Yakima	SOUTHWEST 360-905-2000 360-905-2222 Vancouver (MS: S-15) prefix 905
Information/Receptionist Fax						
4-digit Dialing Locations	prefix 324	prefix 667			prefix 577	
Plans Engineer				Steve Fuchs 357-2680		Rick Keniston 905-2171
Utilities/Developer Engineer	Joseph Chatterton 324-6128	Gary Lee 667-3060	Richard Anderson 440-4431	Kyle McKeon 357-2745	Jamil Anabtawi 577-1785	Tom Swafford 905-2299
Design/Review					Craig Zirkle 577-1732	Rick Keniston 905-2171
Design Services/Plans	Elmer Swanson 324-6100	Jay Drye 667-3041 Kevin Waligorski 667-3042		Steve Fuchs (acting) 357-2680	Salah Al-Tamimi 577-1703	Rick Keniston 905-2171
Region Environmental Manager	Jim Prudente 324-6131	Claton Belmont 667-3055	Martin Palmer 440-4548	Jeff Sawyer 357-2713	Gary Beeman 577-1750	Becky Michaliszyn 905-2174
Real Estate Services Manager	Tim Golden 324-6280	Ted Hill 667-2930	John Jensen 440-4163	Jessica Jensen 704-3251	Larry Hook 577-1651	Mike Palazzo 905-2140
Traffic Systems	Ted Trepanier 324-6550	Jennene Ring 667-3080	Mark Leth 440-4487	John Nisbet 357-2670	Rick Gifford 577-1985	Chad Hancock 905-2240
Operations Engineer/ Assistant Regional Administrator/ Construction Engineer	S. L. Chatterton Asst. R.A. Oper. 324-6538 Ralph Robertson Asst. R.A. Const. 324-6021 Vacant Const. Eng. 324-6125	Dave Bierschbach Asst. R.A. Maint. 667-3065 Dan Sarles Asst. R.A. Eng. 667-3040 Kirk Berg Eng. Mgr. 667-3030		Jerry Walter Asst. R.A. Ops. 357-2607 Steve Roark Oper. Engr. – East 357-2619 James A. Brosio Oper. Engr. – West 357-2614 Chris Keegan Oper. Engineer Bridge & Facilities 357-2604	Casey McGill Asst. R.A. Maint. 577-1901 Phil E. Nickson Asst. R.A. Const. 577-1804	Doug Ficco Construction Engr. 905-2023
Maintenance Engineer/Manager	Ted Trepanier 324-6550	Jennene Ring 667-3080	Dave McCormick 440-4656			Richard Sjolander 905-2020
Regional Documentation	Bill McCammon 324-6023	Mike Cox 667-3027	Vacant 440-4662	Mike Miner 357-2654	Mike Dellinger 577-1801	Lynn Rust 905-2015
Materials Engineer	Gion Gibson 324-6170	Jerry Roseburg 667-3035	Chris Johnson 768-5907	Mel Hitzke 704-3213	Ray Yates 577-1791	Rich Laing 905-2232
Local Programs/Planning Local Coordination	Keith Martin 324-6080	Paul Mahre 667-2900	Terry Paananen-LP 440-4734	Michael Horton 357-2666	Roger Arms 577-1780	Bill Pierce 905-2215
Planning	Mark Rohwer 324-6195	Dave Honsinger 667-2906	Tim Hostetler (acting) 360-757-5980-Mt. Baker	Robert Jones 357-2630	Troy Suing 577-1630	Mike Clark 905-2110
Comm. Visioning/Support Servs.						Mary Legry 905-2014

*For corrections or changes, contact Jeri Brown at 360-705-7000

Acronyms

AASHTO	American Association of State Highways & Transportation Officials
AEMRA	Advanced Environmental Mitigation Revolving Account
AIM	Aeronautical Information Manual
AIP	Airport Improvement Grant
ATNI	Affiliated Tribes of Northwest Indians
APTA	American Public Transit Association
AWC	Association of Washington Cities
BIA	Bureau of Indian Affairs
BRCT	Blue Ribbon Commission on Transportation
CADD	Computer Aided Design and Drafting
CAPP	County Arterial Preservation Project
CERB	Community Economic Revitalization Board (state agency)
CFI	Certified Flight Instructor
CMAQ	Congestion Mitigation and Air Quality Program
CPMS	Capital Program Management System
CRAB	County Road Administration Board (a state agency)
CRITFC	Columbia River Intertribal Fisheries Commission
CTER	Council for Tribal Employment Rights
CTR	Commute Trip Reduction
DM&PT	Demand Management and Public Transportation Office
EAO	Environmental Affairs Office
ECRB	External Civil Rights Branch
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
ELT	Emergency Locator Transmitter
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FEMA	Federal Emergency Management Act/Administration
FHWA	Federal Highway Administration
FRA	Federal Railroad Administration (Division of U.S. DOT)
FTA	Federal Transit Administration

GIS	Geographic Information Services
GMA	Growth Management Act (state)
GOIA	Governor's Office of Indian Affairs
GPS	Global Positioning System
ICRB	Internal Civil Rights Branch
ISM	International Safety Management
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITA	Inter-Tribal Transportation Association
LID	Local Improvement District
LRS	Linear Referencing System
LTAP	Local Technical Assistance Program (see TTAP)
LTC	Legislative Transportation Committee
MOA	Memoranda of Agreement
MOU	Memoranda of Understanding
MPO	Metropolitan Planning Organization
NCAI	National Congress of American Indians
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHS	National Highway System
NPDES	National Pollutant Discharge Elimination Systems
NPIAS	National Plan of Integrated Airport Systems
NTSB	National Transportation Safety Board
NWIFC	Northwest Indian Fisheries Commission
OEO	Office of Equal Opportunity
OJT	On the Job Training
PSRC	Puget Sound Regional Council
RCW	Revised Code of Washington
RFP	Request for Proposal
RID	Road Improvement District
RTAP	Rural Transit Assistance Program
RTP	Regional Transportation Plan
RTPO	Regional Transportation Planning Organizations
SAR	Search and Rescue

SEPA	State Environmental Policy Act
SHSP	State Highway System Plan
SIP	State Implementation Plan
SMS	Safety Management System
SOLAS	Safety of Life at Sea
SOV	Single Occupant Vehicle
STIP	State Transportation Improvement Plan
STP	Surface Transportation Plan
TCP	Traditional Cultural Property
TDM	Transportation Demand Management
TDO	Transportation Data Office
TEA 21	Transportation Equity Act for the 21st Century
TEIS	Transportation Executive Information System
TEP	Transportation Economic Partnerships
TERO	Tribal Employment Rights Ordinance
TIP	Tribal Transportation Improvement Plan
TMA	Transportation Management Area
TPEAC	Transportation Efficiency Permit Efficiency & Accountability Committee
TPO	Transportation Planning Office
TRANSPEED	Transportation Partnership in Engineering Education Development
TRB	Transportation Research Board
TTAP	Tribal Technical Assistance Program
VFR	Visual Flight Rules
WAC	Washington Administrative Code
WACO	Washington Association of County Officials
WAMA	Western Airport Management Association
WASHTO	Western Association of State Highway & Transportation Officials
WDFW	Washington Department of Fish and Wildlife
WPA	Washington Pilots Association
WSF	Washington State Ferries
WSDOT	Washington Department of Transportation
WSTC	Washington State Transportation Commission
WTP	Washington Transportation Plan

Definitions

Commute Trip Reduction (CTR): This state law requires major employers in the eight most populous counties of the state to reduce the number of single-occupant vehicle (SOV) trips and the number of vehicle miles traveled (VMT) by their employees. SOV trips and VMT must be reduced from a baseline year within homogeneous trip-reduction zones. The reductions are 15 percent by 1995, 25 percent by 1997, and 35 percent by 1999.

Congestion Mitigation and Air Quality Improvement Program (CMAQ): A categorical funding program contained in Title 1 of ISTEA that provides funds for projects and activities to reduce congestion and improve ambient air quality. To be eligible for CMAQ, projects and activities must contribute to achieving National Ambient Air Quality Standards and must be included in a Transportation Improvement Program (TIP).

Growth Management Act (GMA): Passed by the state legislature in 1990, and amended in 1991, GMA addresses the negative consequences of unprecedented population growth and suburban sprawl in Washington. The GMA requires all cities and counties in the state to do some planning and has more extensive requirements for the largest and fastest-growing counties and cities in the state. Its requirements include guaranteeing the consistency of transportation and capital facilities plans with land use plans.

Intermodal Surface Transportation Efficiency Act (ISTEA): This 1991 legislation implemented broad changes in the way transportation decisions are made by emphasizing diversity and balance of modes and preservation of existing systems over construction of new facilities, especially roads. Also proposed was a series of social, environmental, and energy factors that must be considered in transportation planning, programming, and project selection (also see TEA 21).

Metropolitan Planning Organization (MPO): An agency designated by a governor (or governors in a multi-state areas) to administer the federally required transportation planning process for metropolitan area. An MPO must be in place in every urbanized area with a population of over 50,000.

Regional Transportation Plan (RTP): A plan coordinating transportation planning efforts of all member jurisdictions, as required by all Raps receiving funding for regional planning under the Regional Transportation Plan Program of GMA.

Regional Transportation Planning Organizations (RTPO): Voluntary organizations with representatives from local governments and regional transportation providers to coordinate transportation planning activities within a region. Authorized by the Growth Management Act of 1990.

State Environmental Policy Act (SEPA): Requires the evaluation of environmental impacts associated with a project or agency action prior to approval. Its purposes are to make decision-makers aware of the environmental consequences of their actions and to involve the public and other interested parties in the analysis.

State Implementation Plan (SIP): A three-year investment strategy required at the state level, that addresses the goals of the state long-range plan and lists priority projects and activities throughout the state.

Surface Transportation System (STP): One of the key capital programs in Title 1 of ISTEA. It provided flexibility in expenditure of “road” funds for non-motorized and transit modes and for a category of activities known as transportation enhancements. It also broadened the definition of eligible transportation activities to include pedestrian and bicycle facilities and enhancement of community and environmental quality with ten categories of activities.

Transportation Demand Management (TDM): Measures destined to reduce the number of single-occupant-vehicle (SOV) trips during the peak traffic period. Measures include person-trip reduction strategies, which eliminate trips completely, vehicle-trip reduction strategies that accommodate person trips in fewer vehicles, and peak-period modification strategies that accommodate person trips in fewer vehicles, and peak-period modification strategies that move trips out the most congested periods.

Transportation Equity Act for the 21st Century (TEA 21): Enacted July 22, 1998, TEA 21 authorizes highway, highway safety transit, and other surface transportation programs for the next six years. TEA 21 builds on the initiatives established in the Inter-modal Surface Transportation Efficiency Act of 1991 (ISTEA), which was the last major authorizing legislation for surface transportation. This new act combines the continuation and improvement of current programs with new initiatives to meet the challenges of improving safety as traffic continues to increase at record levels, protecting and enhancing communities and the natural environment as we provide transportation, and advancing American’s economic growth and competitiveness domestically and internationally through efficient and flexible transportation.

Transportation Improvement Program (TIP): A three-year transportation investment strategy required under ISTEA. It is similar to the six-year program required by state law, which addresses the goals of the long-range plans and lists priority projects and activities for the region. (At the state level, the TIP is also known as a state transportation improvement plan (STIP), not to be confused with a SIP. TIPs from all regions are incorporated in the STIP.)

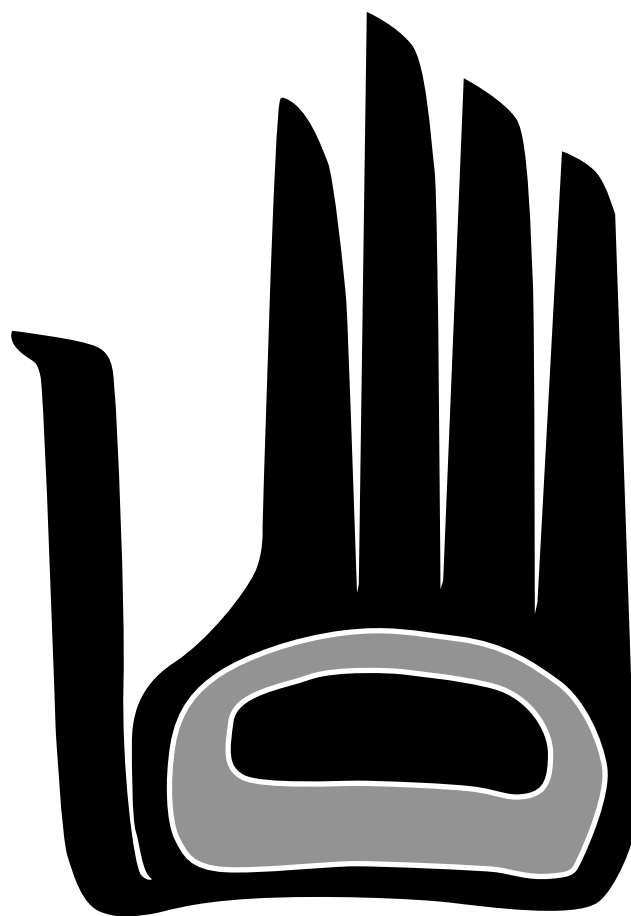
Transportation Management Area (TMA): Under ISTEA, any urban area over 200,000 in population is automatically a TMA, which subjects it to additional planning requirements by also entitling it to funds earmarked for large urbanized areas.

Transportation Partnership in Engineering Education Development (TRANSPEED): A training program in technical and professional engineering development through the University of Washington.

Washington State Transportation Commission (WSTC): The seven-member board appointed by the Governor that oversees WSDOT.

WSDOT

Divisions



Aviation Division

Director: John Sibold, 360-651-6301

The WSDOT Aviation Division's role is to ensure airport preservation and capacity, aviation safety, environmental protection, and education outreach for the 129 public use airports and 25,000 pilots throughout the state. The division provides technical assistance to local jurisdictions and state agencies and facilitates aviation committee and task force meetings to help guide and make recommendations on aviation policies and programs. These committees include the Aviation Advisory Committee, the Airport Grant Aid Task Force, the Aviation Security Task Force, and others.

Services and Programs

The WSDOT Aviation Division programs extend statewide and include:

Airport Aid Program — This program is designed to protect the public's investment in airports, by providing assistance to cities, counties, and port districts, in applying for and securing available federal funding and FAA donations for the construction and improvement of public use airports, and provides matching funds for construction, repair, lighting, navigational aids, and other airport enhancements.

Air Search and Rescue — The Search and Rescue (SAR) program conducts air searches for aircraft that are overdue, missing, or in distress. The SAR program is staffed by over 200 volunteers under the direction of WSDOT Aviation, which coordinates statewide operations. The air SAR program provides assistance to other agencies and coordinates operations with neighboring states and federal agencies and is responsible for developing and conducting crew training courses and exercises to facilitate safe operations.

State-Owned Airports — To provide emergency and support facilities as well as recreational opportunities for general aviation pilots, the WSDOT Aviation Division operates and maintains 16 state-owned or leased airports located throughout Washington State. These airports are located at: Bandera, Methow Valley, Little Goose, Rogersburg, Lower Granite, Tieton, Easton, Skykomish, Copalis, Avery, Lake Wenatchee, Stehekin, Woodland, Sullivan Lake, Ranger Creek, and Lower Monumental.

Safety and Educational Outreach — The educational outreach program provides training classes, clinics, and courses to enhance pilot knowledge about safety issues, security, current regulations, and technology, refresher and recertification clinics for pilots, flight instructors and mechanics, and air search and rescue training. Classes include mountain flying, pilot safety refresher course, and search and rescue classes. Courses are available to Washington State registered pilots and funded by pilot and aircraft registration fees.

Aviation Land Use Compatibility Planning — The aviation land use planning program provides technical assistance and support to local jurisdictions and airport sponsors, and coordinates with state and federal agencies to ensure the long-term protection of all public general use airports in the state. The program is responsible for collecting, processing, analyzing, and developing programs to implement the state's land use compatibility regulations adjacent to airports. The program is also responsible for the State Aviation Systems Plan database, which includes an inventory of public use airport characteristics and development features.

Definitions

AIM: Aeronautical Information Manual

AIP: Airport Improvement Grant

CFI: A pilot holding a commercial pilot certificate who is FAA-rated to give flight instruction on a specific rated aircraft depending on the type of instruction authorized.

ELT: Emergency Locator Transmitter

FAA: Federal Aviation Administration

FAR: Federal Aviation Regulations

FBO: An airport-based business, which parks, services, fuels, and may repair aircraft, provide training or rent of aircraft.

Flight Plan: Specific information, relating to the intended flight of an aircraft, that is filed orally or in writing with air traffic control.

General Aviation: The 92 percent of U.S. aircraft and more than 65 percent of U.S. flight hours flown by other than major and regional airlines or the military.

Navigable Airspace: Airspace at and above the minimum flight altitudes prescribed by or under this chapter, including airspace needed for safe takeoff and landing.

NPIAS: National Plan of Integrated Airport Systems

NTSB: National Transportation Safety Board

SAR: Search and Rescue Program

VFR: Visual Flight Rules

WAMA: Western Airport Management Association

WPA: Washington Pilots Association

Funding Methods

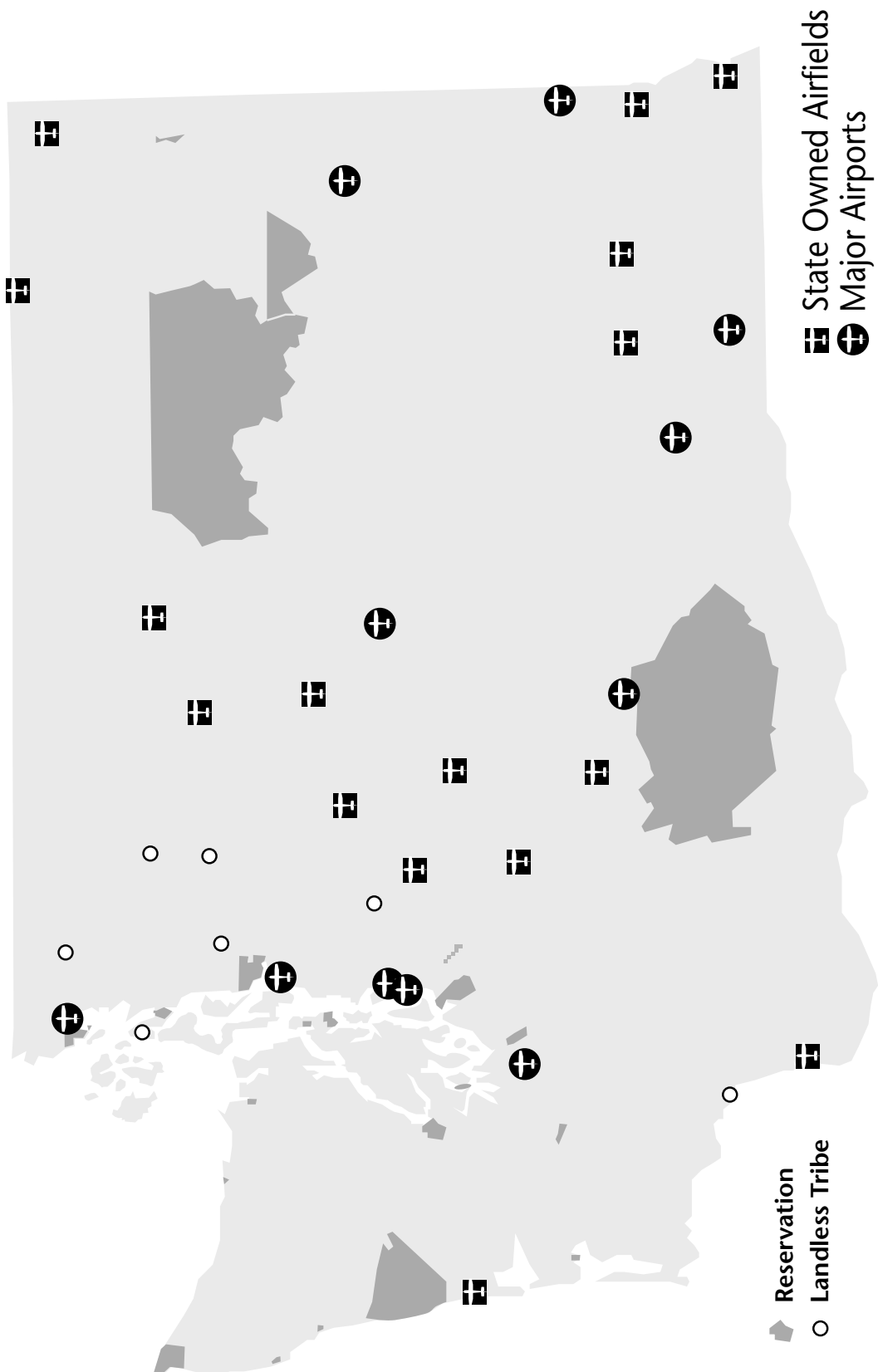
Aviation's programs are funded through aviation fuel taxes and aircraft and pilot registration. Fees support air search and rescue, educational programs, state-owned and operated airport maintenance, and local airport aid grant programs. The division is also the recipient of federal grant funds, which aid the planning program and the airport aid program.

Washington's state constitution limits funding to airports that are owned by a municipal corporation, which are counties, port districts, and cities. Airports in private ownership are not eligible even though they are open to the public.

Almost any project that will enhance or improve safety and utility of an airport will be considered by this agency. Some typical projects we have funded include runway resurfacing or treatment, runway markings, lighting, fencing, crack sealing, and planning assistance. For more information, contact Stan Allison at 360-651-6300.

Airport Aid grants protect the public's investment in airports. WSDOT Local Airport Aid grant money is distributed to small communities in Washington to fund pavement projects, airport lighting, and to help communities meet local matching requirements for Federal Aviation Administration grants. Approximately \$1 million is available each year for WSDOT airport grants. In 2001, the Airport Aid Grant Program awarded funds to 37 airports across the state, primarily in rural areas.

Aviation Map



Engineering and Regional Operations Division

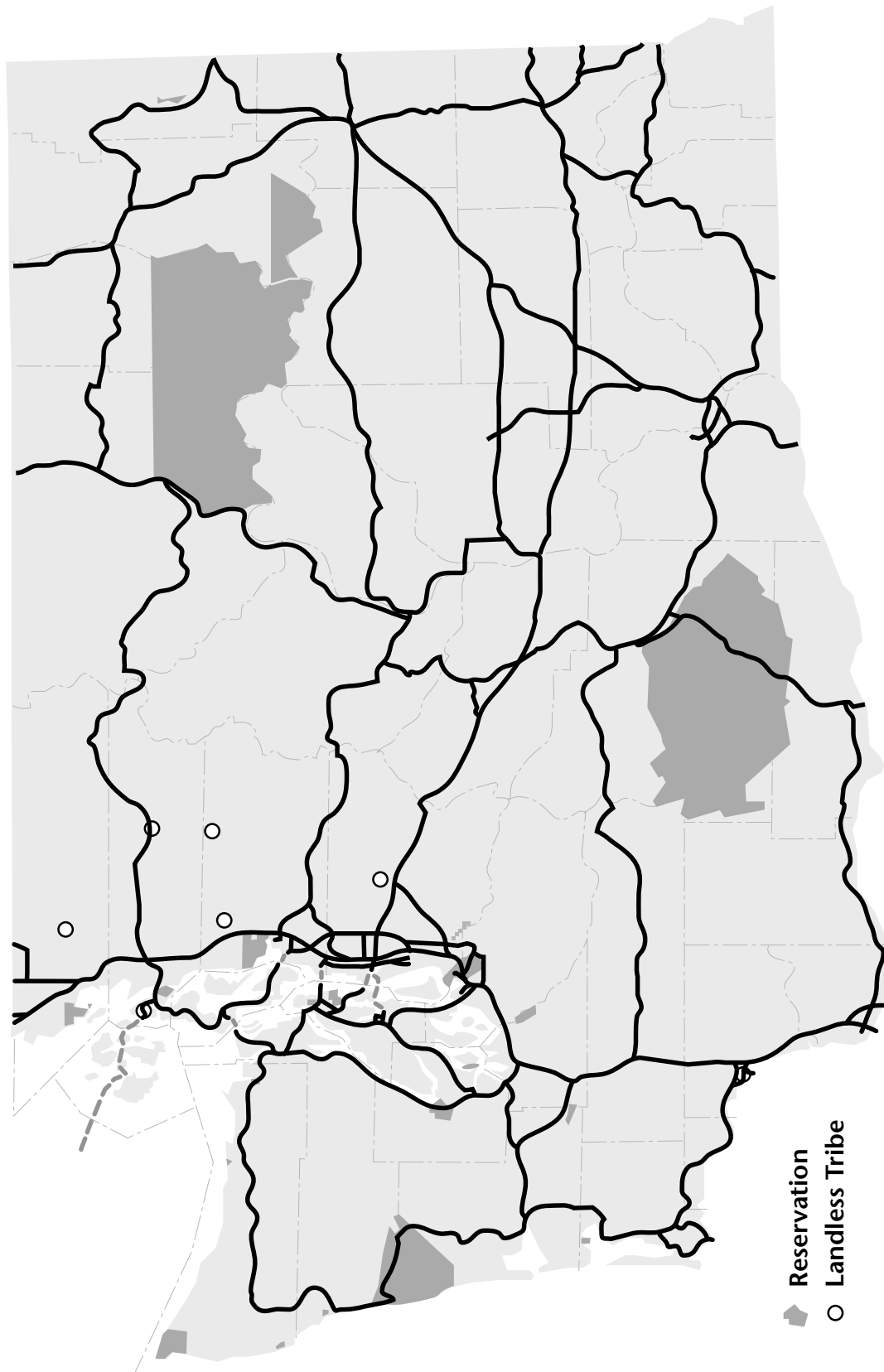
Assistant Secretary: John Conrad, 360-705-7032

The Engineering and Regional Operations Division encompasses the agency's engineering, environmental, maintenance, and planning programs. It also oversees the agency's six regional offices.

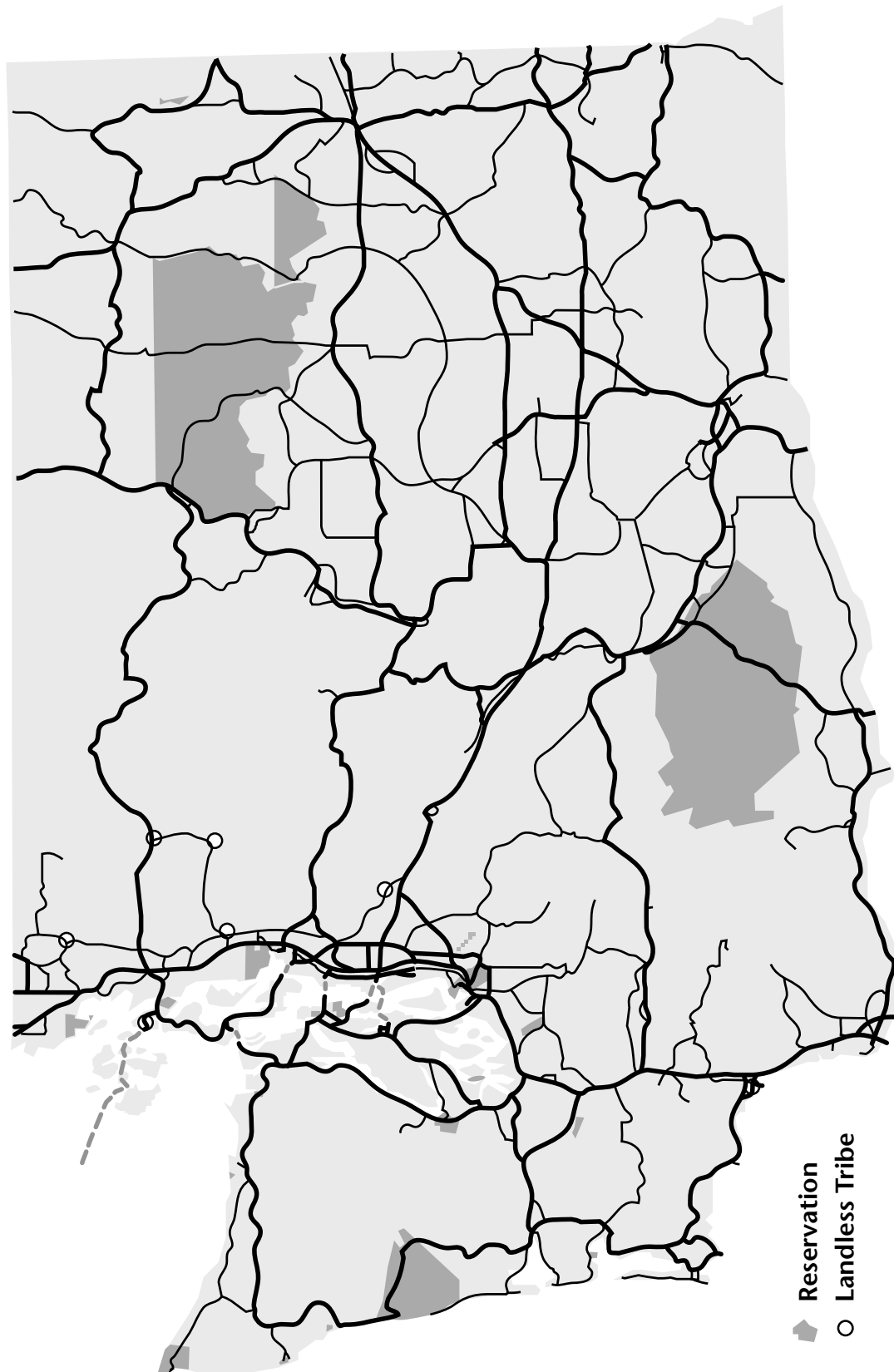
Programs and regions included in the division are:

- Environmental and Engineering Programs
 - Bridge and Structures
 - Construction
 - Consultant Services
 - Design
 - Environmental Affairs
 - Materials Laboratory
 - Real Estate Services
 - Resource Assistance
- Maintenance and Operations Programs
 - Equipment and Facilities
 - Highway Maintenance
 - Motor Carrier Services
 - Resource Management
 - Safety
 - Traffic Operations
- Planning and Capital Program Management
 - Capital Program Management
 - Economics
 - Geographic Services
 - Programming
 - Research Office
 - Transportation Data Office
 - Transportation Planning Office
- Eastern Region
- North Central Region
- Northwest Region
- Olympic Region
- South Central Region
- Southwest Region

Highways of Statewide Significance (HSS) Map



State Highways Map



Environmental and Engineering Programs

Environmental Affairs Office

Director: Jerry Alb, 360-705-7480

The Environmental Affairs Office (EAO) is a team of policy and science experts providing leadership to foster environmental stewardship and facilitate responsible implementation of the department's transportation services.

Services and Programs Available to the Tribes

EAO is committed to providing services to tribal communities as an important part of the public we serve. Furthermore, in the spirit of the government-to-government relationship reaffirmed under the Centennial Accord Plan, the program is committed to providing services to the tribes in a manner that respects our appropriate partnership roles as managers of natural resources and in the area of cultural resources. EAO strives to address the needs of the tribal communities in the course of delivering transportation services and project support. EAO actively seek out partnerships with the tribes when their community and/or resource concerns coincide or overlap with transportation concerns and impacts.

Director's Office

This office facilitates the advancement of an effective and efficient transportation system that is planned, designed, built, and maintained in an ecologically sound and cost-effective way. Tribal involvement varies by program discipline and by project throughout the environmental processes. Responsibilities include:

- Provide strategic environmental leadership and vision.
- Develop and coordinate the department's environmental policy direction.
- Advance environmental stewardship within the department.
- Demonstrate the effectiveness of the department's technical and scientific staff.
- Promote innovative solutions to complex environmental problems.
- Assess environmental, economic, and social trends for effects on transportation system delivery.
- Account to the Governor, Legislature, Transportation Commission, and the public on the department's compliance efforts.
- Support and facilitate environmental streamlining.

EAO is divided into two branches.

The **Project Services Branch** provides technical assistance and policy support for the following programs:

- Biology (Endangered Species Act (ESA))
- Advanced Environmental Mitigation Revolving Account
- Cultural Resources (National Historic Preservation Act: Section 106)

- Hazardous Materials, Water Quality, and Erosion Control
- Air Quality, Acoustics, and Energy
- Wetland Monitoring
- Office Financial Management

The **Planning and Development Branch** provides information, tools, and procedures to aid the integration of environmental regulations and information into transportation planning and project management for the following programs:

- Environmental Cost-Benefit Analysis
- Environmental Information and Geographic Information Services (GIS)
- Regulatory Compliance
- National Environmental Policy Act (NEPA)
- Watershed Management
- Uniform Environmental Project Reporting System
- Flood Management and Hydrogeology
- Stormwater Management/National Pollutant Discharge Elimination Systems (NPDES)

Environmental services are additionally provided by Regional Environmental Offices and Environmental staff located in the Ferries, Rail, Maintenance, and Highways and Local Programs Offices.

Funding Methods Currently Available to the Tribes

EAO does not directly distribute funds to tribal governments. However, transportation funds can be appropriated to tribes through Federal Highway Administration for individual projects or programs. Many tribal partnerships have been developed through EAO where mutual benefits have been derived.

Examples:

The Transportation Permit Efficiency and Accountability Committee (TPEAC):

- TPEAC is a multi-jurisdictional committee that was established by the state legislature in 2001 to create more efficient methods for transportation project permitting while maintaining environmental standards. During the 2001-2003 Biennium, \$265,000 was made available to three tribal organizations that cooperatively manage natural and cultural resources: the Columbia River Intertribal Fisheries Commission (CRITFC), the Upper Columbia United Tribes (UCUT), and the Northwest Indian Fisheries Commission (NWIFC). Funding provided liaison services for tribal participation in developing policies related to TPEAC.

The Watershed Program:

- WSDOT formed a partnership with the Chehalis Tribe and the Department of Ecology to fund and develop the first flood hazard area map for the Chehalis Reservation. This effort received \$35,000 in funding from the WSDOT flood-plain management program as part of its activities involving flood management planning in the Chehalis Basin.
- WSDOT formed a partnership with the Quileute Tribe, the Army Corps of Engineers, Department of Ecology, and others, to restore habitat and prevent avulsion. The project addresses environmental damage to the Bogachiel River, prevents avulsion of the river from destroying SR 110, develops a long-term solution to protect access to the Quileute Reservation during floods, and protects the highway and the Tribe's water supply. This effort has received \$400,000 in funding from the Advanced Environmental Mitigation Revolving Account (AEMRA) to implement Phase 1 of the project. This site is also on the WSDOT Chronic Environmental Deficiencies Inventory.
- EAO staff is consulting with NWIFC on *Highway Runoff Manual* revisions.

The Air Quality, Acoustics, and Energy Program:

- Provide applicable environmental studies for air quality, noise, and energy for WSDOT projects that cross or influence tribal properties. WSDOT will redesign intersections as needed to meet air quality conformity in non-attainment and maintenance areas and construct noise barrier mitigation when determined to be reasonable and feasible based on state policy and procedures for highway projects.

The Hazardous Materials, Water Quality, and Erosion Control Program:

- Formed a five-way partnership with Washington State Ferries, the Suquamish Tribe, U.S. Fish and Wildlife, Trout Unlimited, and private landowners to construct a two-acre estuarine wetland restoration site to compensate for lost habitat at the Eagle Harbor Superfund site.

The Biology Program:

- Provide applicable environmental studies for wetlands, streams, and threatened and endangered species for WSDOT projects that cross or influence tribal properties. EAO works closely with tribes in preparing these studies.
- Since 1992, EAO manages a comprehensive program to inventory and correct state highway culverts that block fish passage. The fish barrier removal program is a joint effort between WSDOT and Washington Department of Fish and Wildlife (WDFW) where the highest priority projects from a statewide inventory list are targeted first to achieve the greatest habitat gain. Survey crews from WDFW identify barrier culverts and characterize the habitat upstream of the culvert. The inventory is updated yearly and a preliminary six-year plan of the highest priority projects is developed. Input from the tribes is sought in the formulation of the six-year plan and identifying barrier culverts for our inventory.

The Cultural Resources Program:

- Ensures compliance with National Historic Preservation Act (NHPA) regulations with tribes on all construction projects. Section 106 of the Act requires federal agencies to consider the effects of its actions on historic properties. Revisions in 1999 to Section 106 added new burdens and opportunities to the process by which FHWA, (or WSDOT under delegation procedures), works with tribal officials and the state historic preservation office to determine the impacts transportation projects may have on historic and cultural properties and what can be done to avoid or reduce harmful impacts. See Appendix D for additional NHPA information.
- Provides interagency training on cultural resources awareness and NHPA Section 106. The training includes tribal representatives as presenters to emphasize traditional cultural properties.
- Conducts regional annual reviews of proposed transportation projects and project specific on-site meetings. The annual reviews are the earliest opportunity for tribes to engage in a consultation process with the agency on proposed construction projects.
- Provides applicable research for cultural resources including compensation to the tribes for specific project services such as ethnographic, monitoring, and cultural resources survey work. Presidential Executive Order #13175 of November 6, 2002, makes this consultation process increasingly more critical to project delivery.

Contacts regarding NHPA Section 106:

- Sandie Turner, 360-570-6637
- Craig Holstine, 360-570-6639

Q&A About Regulations and Consultation with Indian Tribes*What ACHP's regulations say about consultation with Indian tribes?*

Section 800.2(c)(2) of the regulations outline important principles and general directions to Federal agencies regarding consultation:

The regulations remind Federal agencies that historic properties of religious and cultural significance to an Indian tribe may be located on ancestral, aboriginal, or ceded lands of that tribe. Accordingly, agencies must make a *reasonable and good faith effort* to identify Indian tribes that attach such significance but may now live at great distances from the undertaking's area of potential effect.

Federal agencies should be respectful of tribal sovereignty in conducting consultation and must recognize the government-to-government relationship that exists between the Federal Government and federally recognized Indian tribes.

The regulations also provide for an Indian tribe to enter into an agreement with a Federal agency regarding any aspect of tribal participation in the review process. The agreement may provide the Indian tribe with additional participation or concurrence in agency decisions under Section 106 provided that no modification is made to the roles of other parties without their consent.

Is consultation with Indian tribes required only when an undertaking will occur on or affect historic properties on tribal lands?

No, NHPA and ACHP's regulations require Federal agencies to consult with Indian tribes when they attach religious and cultural significance to a historic property *regardless of the location of that property*. The circumstances of history may have resulted in an Indian tribe now being located a great distance from its ancestral homelands and places of importance. It is also important to note that while an Indian tribe may not have visited a historic property in the recent past, its importance to the tribe or its significance as a historic property of religious and cultural significance may not have diminished for purposes of Section 106.

Does a property of traditional cultural and religious importance requiring agency consultation with tribes under Section 101(d)(6) of NHPA have to be determined eligible for the National Register or meet the National Register criteria?

Yes. NHPA only requires consultation with Indian tribes and Native Hawaiian organizations regarding those properties of traditional religious and cultural importance that are listed in or eligible for the National Register. However, agencies should be aware that Sections 800.4(a) and (b) require them to consult with Indian tribes and Native Hawaiian organizations that might attach religious and cultural significance to a property when the agency carries out the identification and National Register evaluation of potential historic properties. Likewise, Executive Order 13007, the American Indian Religious Freedom Act, or other authorities may impose obligations, independent of Section 106 and NHPA, with regard to Indian sacred sites that do not meet the National Register criteria. Agencies should review their own internal policies in that regard.

What is a Federal agency's responsibility to consult with a State-recognized Indian tribe or non-recognized Native American group?

Under ACHP's regulations at Section 800.2(c)(5), the Federal agency may invite such groups to participate in consultation based on a demonstrated interest in the undertaking's effects on historic properties. However, the term "Indian tribe" in NHPA refers only to federally recognized Indian tribes. Accordingly, under NHPA and ACHP's regulations, only a federally recognized Indian tribe has the right to participate in Section 106 consultation. (However, any group, regardless of tribal affiliation or federal recognition, has the right to participate in the Section 106 as an "interested party".)

How does a Federal agency consult with an Indian tribe that does not want to divulge information about a historic property of religious and cultural significance?

An Indian tribe may not wish to divulge information, or may be prohibited from disclosing certain kinds of information, about certain historic properties. Therefore, the Federal agency should remain flexible in its approach to identification and evaluation of historic properties and consultation to resolve adverse effects.

Section 304 of NHPA provides protection from public disclosure of information about a historic property that might result in harm to the property, a significant invasion of privacy, or impediments to traditional religious practice at a site.

ACHP's regulations include reminders of the need for Federal agencies to consider tribal and public concerns regarding sensitivity of information.

Several Indian tribes assert that they have an interest in a historic property. Is the Federal agency obligated to consult with all of them? What if the tribes disagree?

Federal agencies should keep in mind that there may be multiple Indian tribes that attach significance to a historic property. There may also be Indian tribes that attach significance to historic properties on another Indian tribe's lands. The Federal agency is obligated to consult with each of the Indian tribes and may have to approach the consultation with flexibility. It is often the case that all consulting parties do not agree. Federal agencies should approach all such consultation with an open mind, carefully weighing the views of all parties in concluding the Section 106 review process.

If the Federal agency has not identified an Indian tribe nor invited that tribe to participate, what can the Indian tribe do?

The tribe may write to the Federal agency requesting to be a consulting party. If the tribe is one that attaches religious and cultural significance to a historic property in the area of potential effect, the tribe must be considered a consulting party by the agency.

If a tribe has assumed the duties of the SHPO, does the SHPO still participate in consultation for undertakings on tribal lands?

Only if a non-tribal property owner within the exterior boundaries of the reservation requests that the SHPO participates, or if the Tribal Historic Preservation Officer (THPO) and agency agree to invite the SHPO to participate, does the SHPO still participate in consultation for undertakings on tribal lands. In all other cases, the Federal agency consults with the THPO in lieu of the SHPO on tribal lands.

When there is no THPO, who represents the tribe in consultation for an undertaking on tribal land, including signing an MOA on behalf of the tribe?

Tribal participation in the Section 106 process is conducted through the tribe's official governmental structure. The formal representation, including designation of the tribal signatory for the tribe, is determined by the tribe in accordance with tribal law, internal structure, and governing procedures. Other tribal members who wish to participate in the Section 106 process must do so as members of the public and may seek to become consulting parties with the consent of the Agency Official. However, the views of the Indian tribe are provided only by an officially designated representative of the tribal government.

When there is no THPO, does the agency also consult with the SHPO?

Yes, the agency consults with the tribal designated representative and the SHPO when there is no THPO. If the SHPO withdraws from consultation, the Federal agency and the tribal representative may complete the review process. An Indian tribe may enter into an agreement with the SHPO specifying the SHPO's participation in the Section 106 review process on tribal lands.

If the undertaking will not occur on or affect historic properties on tribal lands, is the Federal agency required to consult with Indian tribes?

Yes, Section 101(d)(6)(B) of NHPA requires consultation with Indian tribes that attach religious and cultural significance to historic properties (hereinafter "relevant Indian tribes"). The Federal agency must make a reasonable and good faith effort to identify such Indian tribes and invite them to be consulting parties. If such Indian tribes have not been invited by the agency to consult, the tribes may request in writing to be consulting parties and must be considered as such by the agency.

For more complete information on the National Historic Preservation Act and Section 106 regulations go to: **www.achp.gov/**

Urban Corridors and Northwest Coordination

Director: David Dye, 206-389-3970

Regional Tribal Coordinator: Terry Paananen, 206-440-4734

The Urban Corridors and Northwest Coordination office serves communities within Whatcom, Skagit, Snohomish, King, San Juan, and Island Counties. Urban Corridors, Planning and Policy, and Northwest Region are offices within our division. Together our offices are responsible for developing long-range transportation plans for the Central Puget Sound region, engaging in policy development pertaining to transportation facilities and services, and implementing those plans.

There are several federally recognized tribes located in the area we serve including:

- Muckleshoot Tribe
- Snoqualmie Tribe
- Tulalip Tribes
- Duwamish Tribe (pending)
- Samish Nation
- Lummi Nation
- Nooksack Tribe
- Upper Skagit Tribe
- Swinomish Tribe
- Stillaguamish Tribe
- Sauk-Suiattle Tribe

There are four non-federally-recognized tribes in the area as well: the Snohomish Tribe, the Kikiallus Indian Nation, the Snoqualmoo Tribe, and the Marietta Band of the Nooksack Tribe. In addition, there are two tribes, the Yakama Nation and the Suquamish Tribe, with usual and accustom areas within the Northwest Region boundaries.

Services and Programs Available to the Tribes

Programs and/or services available to the tribes within the Northwest Region are the same as those available statewide.

Funding Methods Currently Available to the Tribes

Funding distribution methods available to the tribes within the Northwest Region are the same as those available statewide. Funding opportunities are provided by federal grants, which are administered through Regional Transportation Planning Offices (RTPOs) and Metropolitan Planning Offices (MPOs). In this division, the Northwest Region and Mt. Baker Area Planning Office, in conjunction with the Planning and Policy Office, will work with their respective RTPOs and MPOs to ensure that tribal governments are aware of these funding opportunities and have a chance to compete for federal funds. The Planning and Policy Office will work with the Puget Sound Regional Council to ensure that tribal governments are aware of these funding opportunities and have a chance to compete for these federal funds.

Consultation Process and Procedures

Each region of the state has distinct transportation needs that reflect its communities, environment, and economy. Within reason, every effort is made to conduct face-to-face cooperative meetings, often in a multi-jurisdictional situation. It is the goal of this division to create a proactive consultation strategy with Native American tribes that focuses on project development, National Historic Preservation Act (“Section 106”) consultation, natural resource mitigation, and elicits feedback on alternative selection.

In addition, tribes are invited to participate at RTPO and MPO meetings, joining the state, counties, and cities in planning for the future. Consultation will be pursued continuously, from the project development stages, through scoping and into the design phase. Feedback will be sought through project-specific meetings, and opportunities to comment on various environmental documents will be provided before finalization. Continued consultation may occur as needed via project monitoring by the tribes throughout the construction phase.

Maintenance and Operations Programs

Director: Brian Ziegler, 360-705-7801

Maintenance and Operation Programs include maintenance activities that protect the public infrastructure and public safety, as well as maintenance services necessary for the daily operations of the highway system. Many state highways are located on Indian reservations and benefit from the following services:

Patching potholes	Sealing roadway cracks
Winter operations (plowing & sanding)	Painting stripes on the roadway
Roadside vegetation	Noxious weed-control
Guardrail and fence maintenance	Anti-icing
Cleaning ditches and culverts	Cleaning and maintaining rest areas
Maintaining lighting	Maintaining signal systems

Maintenance personnel are also the first line of defense when natural disasters such as mudslides, floods, fires, and earthquakes threaten the transportation system. Contact information for regional locations are listed in the regional divisions section of this plan. Consultation and activity coordination is encouraged at the local level. There are 24 WSDOT Area Maintenance Superintendents. They work with local tribal contacts and can most effectively identify opportunities for partnership at this level, perhaps with the Bureau of Indian Affairs Reservation Roads Program.

Services and Programs Available to the Tribes

Highway Maintenance

In addition to the duties listed above, WSDOT also offers the Adopt-a-Highway program for tribal participation in litter removal or roadside vegetation maintenance/enhancement. WSDOT maintenance periodically has to remove hazard trees and other large, woody debris from the roadside or from culverts or bridges. On occasion, these materials have been donated to tribes for either ceremonial purposes or for tribal aquatic restoration projects. WSDOT Maintenance has also assisted tribes with roadside weed control, drainage channel cleaning, and debris removal from bridges. For more information about the Adopt-a-Highway program, contact Ray Willard at 360-705-7865. The WSDOT Motor Carrier Services Office issues permits and assists in route planning for over-dimensional trucks owned/operated by tribal governments. For more information about permits, contact Barry Diseth at 360-705-6346.

Traffic

Local Traffic Engineering Services – WSDOT has a full time traffic engineer who is available to assist cities, counties, and tribes in developing solutions for or advising them on traffic engineering issues on their roadways. Road signage and speed limits are the most frequently requested services. Contact Brian Walsh at 360-705-7297.

Funding Methods Currently Available to the Tribes

Most funding available to tribes from WSDOT is generated through federal sources. Maintenance funds are all state generated revenue sources.

Planning and Capital Program Management

Director: Rick Smith, 360-705-7150

Tribal Contact: Mike Partridge, 360-705-7964

Capital Planning and Program Management manages, coordinates, and supports the multimodal transportation planning, data, and research needs of the department. Planning activities include coordinating long-range plan development with local jurisdictions, and administering pass-through planning funds. Data and research activities support and address design, construction, maintenance, operations, and safety functions of the highway program. Research activities also support public transportation, pedestrian, bicycle, rail (freight and passenger), and other transportation needs.

Services and Programs Available to the Tribes

Transportation Planning Office

The Planning Office works closely with tribal planners and they meet collectively on a regular basis. A transportation-planning guide was published in 1995 and is currently being updated.

TPO administers the Regional Transportation Planning Organization (RTPO) program. The RTPO are voluntary organizations made up of counties and cities. The primary role of the RTPO is to coordinate and collectively develop a regional transportation plan. The regional transportation plan becomes the basis for programming local and state funds for regional transportation projects. Each tribal government is encouraged to participate in the RTPO process. There are currently 14 RTPOs in the state. Every county is part of an RTPO, except for San Juan County. Special training is available to assist tribes to get their plans incorporated in the State Transportation Improvement Plan (STIP). For information on participating in the RTPO process, tribes can contact Mike Partridge at WSDOT Headquarters or their Regional Tribal Contact Coordinator listed in the regional office section of this plan.

Washington's Transportation Plan Development – This plan captures the transportation needs of all governments and agencies throughout Washington State looking 20 years into the future. It provides a venue for explaining the importance of transportation improvements to the state legislature and the federal government. Listing a transportation need in the WTP gives that need a certain relevance that may be useful when seeking funds. WSDOT will work with tribal governments to accurately reflect their transportation needs in future updates of the WTP. The most recent edition identified current needs of the tribal governments as determined by the tribal Transportation Improvement Plans (TIP) submitted to the Bureau of Indian Affairs (BIA) Reservation Roads Program.

State Highway System Plan Development – The state highway component of Washington's Transportation Plan is known as the State Highway System Plan (SHSP). This document lists all identified state highway needs for the coming 20-year period based on established goals set by the Transportation Commission. WSDOT will work with tribal governments during update cycles of the SHSP to ensure an understanding of WSDOT's state highway goals and to accurately identify state highway needs on tribal lands.

Transportation Demand Management (TDM) Resource Center — The TDM Resource Center of the Planning and Policy Office will work with tribal governments to develop transportation options and linkages to reduce dependence on the single occupant vehicle (SOV).

Program Management Office

The office is comprised of an Operations Branch and a Programs Branch. The office manages the statewide highway construction program, which includes: recommending subprogram funding levels, developing project priorities, and preparing, executing, and monitoring the highway construction program. The projects that are funded are based on a cost/benefit analysis (including partnership funding) and are derived from a needs list. The office is responsible for communicating these activities to department executives, the Transportation Commission, and the Legislative Transportation Committee(s).

Operations Branch – This branch is responsible for a number of areas including the department’s Capital Program Management System (CPMS), federal funds management on an obligation and federal fiscal year basis, and operational reporting of programming and expenditures of federal, state, and local funds on state fiscal years and biennia.

The Operations Branch provides the technical and approval interfaces between the U.S. Department of Transportation, the Federal Highway Administration, and other WSDOT offices and regions for obligation and expenditure of all funds used for state transportation projects in the capital construction program. This branch prepares various documents and reports to assist in program planning, prepares programming instructions, monitors performance, provides program analysis, and gathers historical information to capture differing measurement criteria. Most changes to the capital construction program resulting from internal, federal, or state legislative actions originate in this branch.

Programs Branch – This branch is primarily responsible for working with the regions and other offices to develop, monitor, manage, and deliver the various highway construction programs.

Specific responsibilities of the Programs Branch include recommending program levels, developing project priorities, allocating funds to the regions, authorizing funds, reviewing project content of the programs, monitoring and managing program expenditures and delivery, and approving or recommending approval of changes to the program. Resolution of program and project issues is another major area of focus.

Geographic Services

Geographic Services is organized into four sections. Three of the sections operate as cost recovery centers. Aerial Photography, Geodetic Survey, and Photogrammetry are cost recovery centers, operating without an allocated budget. As a cost recovery center, there are charge rates designed to cover the costs for their services. All of our Aerial Photography, Geodetic Survey, and Photogrammetry services are available to tribes as our workload permits. The aerial photography services are the most likely to be used by tribes.

The Geographic Services Office provides aerial photography, specialized survey, mapping, and geographic information systems products. The primary customer is WSDOT – planning, design, construction, Washington State Ferries, and the Bridge Office. The office also does work for other state agencies, counties, cities, tribes, and the public. Many tribes have contracted the office for various services. The office also supports the Capital Program providing information and tools needed for project planning, budget development (programming), design, construction, maintenance, and more. Products and services include:

- Large scale mapping for capital project design.
- Medium and small scale mapping for planning, budget development, preliminary design, communication, traveler information, and other uses.
- Aerial photography – black and white, true color, and color infrared – for capital project design mapping, construction progress documentation, and general reference.
- Survey control for capital project design and construction.
- Technical support and training for Global Positioning System (GPS) survey equipment and Geographic Information Services (GIS) software and data.

Maps and photographs are available in traditional printed formats or digital (Computer Aided Design and Drafting (CADD) and Geographic Information Services (GIS) maps, and digital images). Digital images include scanned photographs and maps, formatted for detailed design work or optimized for the web. Digital orthophotos (an aerial photograph taken looking straight down and adjusted for topography) have the same accuracy characteristics as a map.

Resources available from Geographic Services:

- Historical Photo Archives: The archives contain over 500,000 photo negatives dating back to the late 1940s.
- Survey Information System: The web based survey information system provides readily accessible survey monument information.
- GIS Linear Referencing System (LRS): The GIS linear referencing system is a special state highway map that allows data with State Route Milepost to be used in GIS with other GIS data.
- Special Purpose Maps: Official State Highway Map, Interstate Guide, Bike Map, Milepost Map, Control Section Map, Functional Class Map, Freight and Goods Map, and tribal locations.

The authority for entering into an agreement to provide services to other public agencies is granted by RCW 39.34, Interlocal Cooperation Act. RCW 39.34 defines public agencies to include any tribe recognized by the federal government.

WSDOT's policy for entering into agreements with other agencies for geographic services is:

- Do work for other public agencies only at their request.
- WSDOT work will take precedence over work for others.
- All customers will be billed full cost for any work performed or assistance provided.
- Do not advertise or market our services or overtly compete with private-sector firms.
- When public agencies request our assistance, include in our initial response a listing of private firms that provide like services.

Also, note that in addition to providing services, we will enter into partnerships with other public agencies where WSDOT has an interest in the resulting product. The difference between providing a service versus entering into a partnership is that under a partnership, WSDOT will pay part of the cost. WSDOT's ability to partner is subject to available funding.

As public funds are stretched, we are experiencing increasing interest from others to cooperate on data acquisitions – data acquisitions are what geographic services are all about. While most of the activity in the past has involved aerial photography services, we are open to exploring opportunities to provide geodetic survey and photogrammetry services as well – whether as a service provider or as a partner.

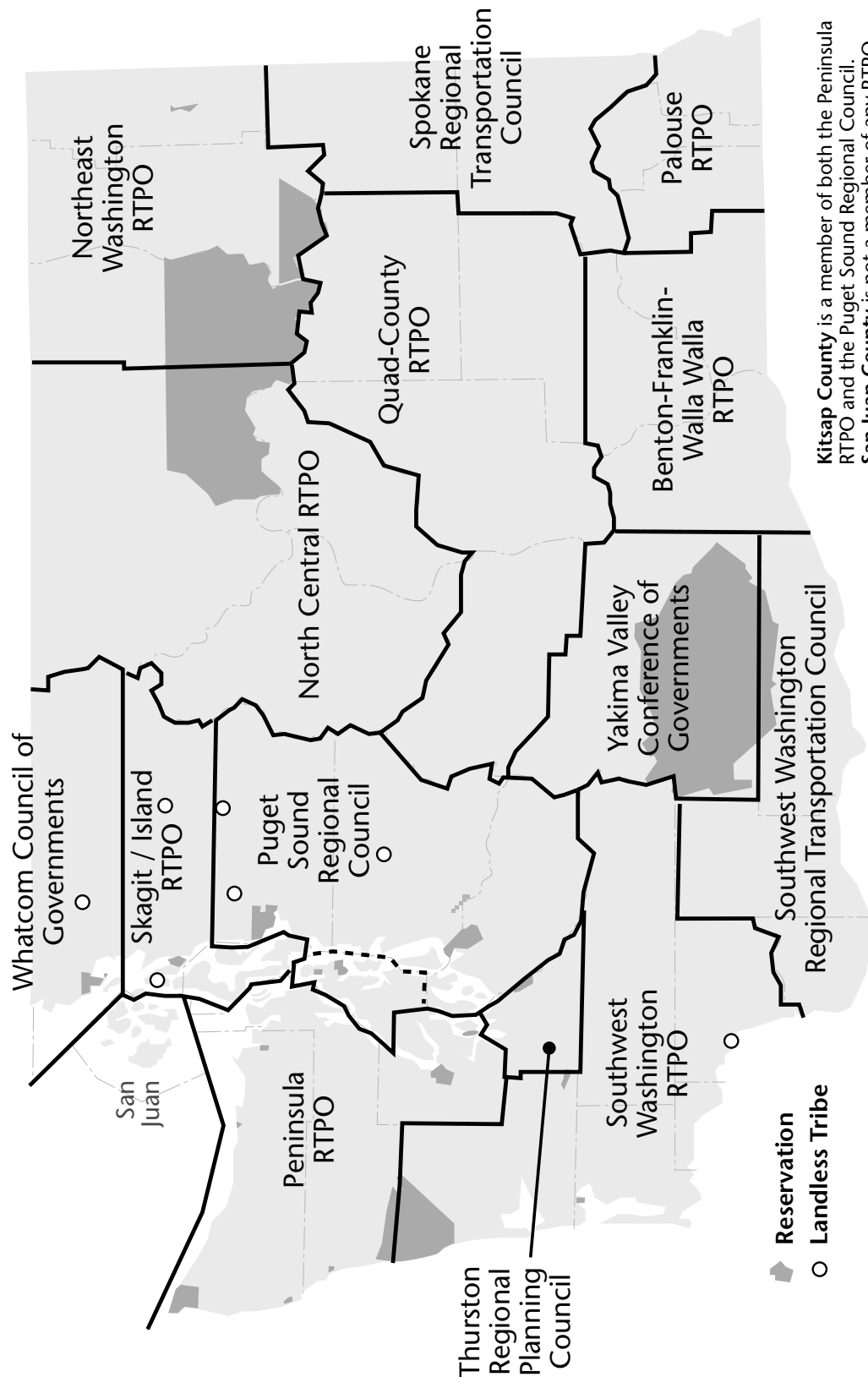
Transportation Data Office

As part of Planning and Capital Program Management, the Transportation Data Office (TDO) is responsible for collecting, processing, analyzing, and disseminating transportation data pertaining to the Washington State Highway System. This data is used by a variety of customers including the regions and divisions within WSDOT, the Federal Highway Administration (FHWA), other Washington State government agencies, tribal governments, and public or private organizations.

Funding Methods Currently Available to the Tribes

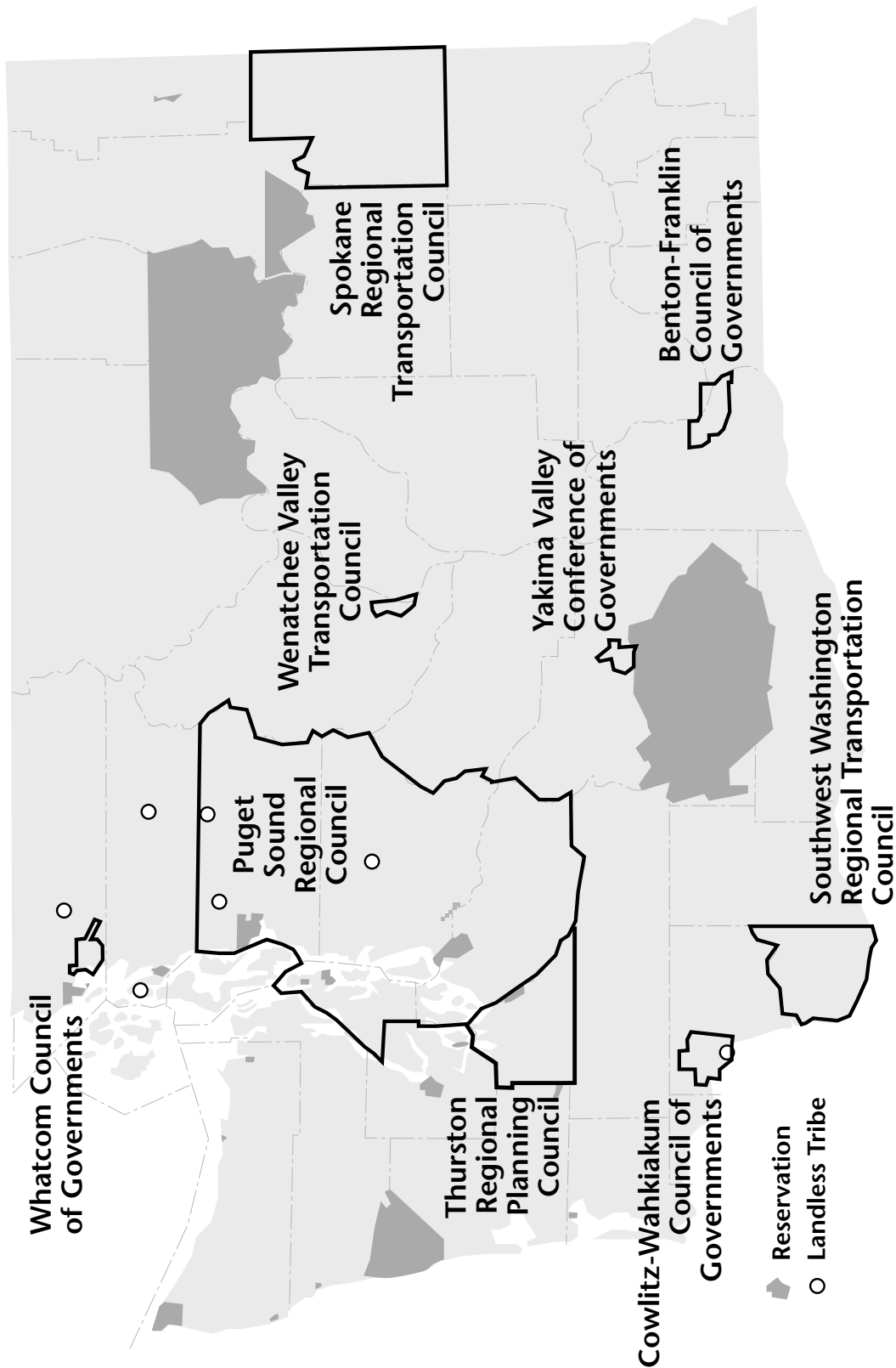
Planning and Capital Program Management does not distribute funds to tribal governments. Transportation funds are appropriated for tribal governments from the Federal Highways Administration to the Federal Lands Program, to the Bureau of Indian Affairs, and then to a tribe. If a tribal transportation project is eligible for Surface Transportation Funds (STP), the tribe can compete for those funds through the process established by the appropriate Metropolitan Planning Organization (MPO) or Regional Transportation Planning Organization (RTPO). Tribes may also compete for special earmark funds at the federal level by lobbying the state congressional delegation to try to include the earmark projects in the annual appropriations bill. These funds would then be part of the states annual apportionment and administered through Highways and Local Programs.

Regional Transportation Planning Organizations Map



Kitsap County is a member of both the Peninsula RTPO and the Puget Sound Regional Council.
 San Juan County is not a member of any RTPO.

Metropolitan Planning Organizations Map



Office of Equal Opportunity

Director: Brenda Richardson, 360-705-7090

The Office of Equal Opportunity (OEO) manages and monitors WSDOT's equal opportunity, affirmative action, and contract compliance programs. OEO has two basic units: the External Civil Rights Branch (ECRB) and the Internal Civil Rights Branch (ICRB).

Services and Programs Available to the Tribes

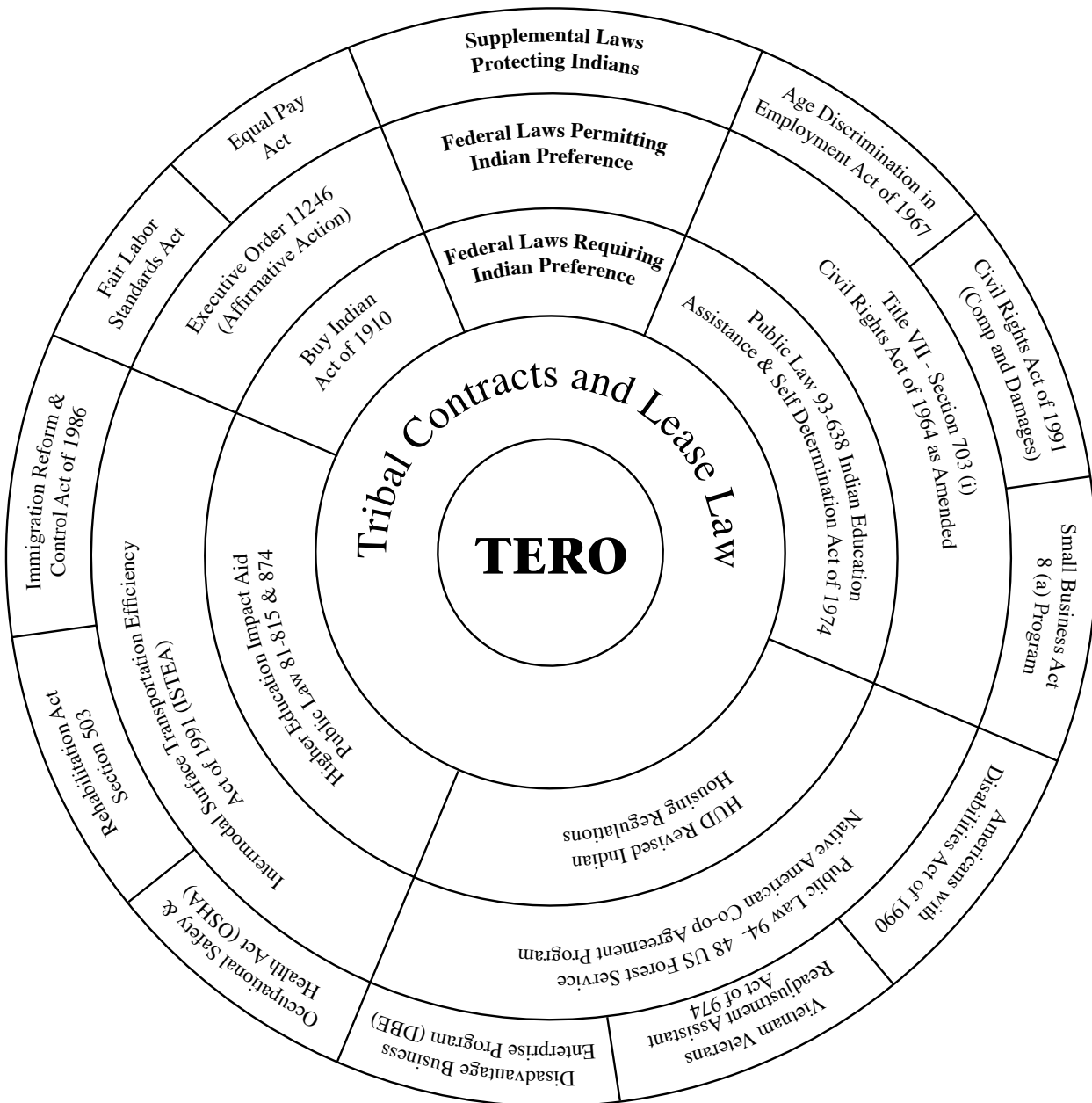
Equal Employment Opportunity (EEO) — A federally mandated program to monitor compliance with federal affirmative action, to ensure equal opportunity.

On the Job Training (OJT) — A federally mandated program to assign trainees/apprentices where applicable on federal aid contracts and to monitor minority/female participation. The Federal Highway Administration, through TEA 21 funds special projects annually across the Nation. Another funding source to consider is the U.S Department of Labor. Proposals must be submitted to be considered for possible funding with each agency. The primary responsibility is to market, recruit, assess, council, and find job placement opportunities for interested individuals (tribal members, etc.), as apprentices or trainees within the highway construction industry. Additionally, provide follow-up/retention services to those applicants hired as an apprentice/trainee for four or more years, or until the individual reaches journey level (professional) status.

Tribal Employment Rights Ordinance (TERO) — Assures that contractors know when the contract they are working on is on or near a reservation and that they must work with the tribal TERO Officer to include Native Americans in their workforce. WSDOT sponsors TERO training classes in cooperation with the Council on Tribal Employment Rights, a national organization based in Arizona, to educate agency staff, and Indian and non-Indian contractors on the legal and practical applications of TERO. Contact Bonnie Blake at 360-705-7082.

Council for Tribal Employment Rights Chart

Tribal Employment Rights Ordinance (TERO) Indian Preference Legal Framework



Finance and Administration Division

Assistant Secretary: Richard Ybarra, 360-705-7400

The Finance and Administration Division supports the internal operations WSDOT, including policies, procedures, and administrative systems. The only areas that relate to tribal interests are the recruiting efforts of the Human Resources Office and Staff Development and Training.

Support services include: Accounting Services, Administrative Services, Budget Services, Financial Planning, Office of Human Resources, Office of Information Technology, and Risk Management.

Services and Programs Available to the Tribes

The Recruitment and Retention Unit makes open positions available to all people through the web at <http://hr.dop.wa.gov/statejobs/jobs.htm>. In the near future, there will be a recruitment web page on the WSDOT website. Human Resource Managers at tribal offices should check the website regularly.

Persons without web access are encouraged to contact the Recruitment and Retention Unit at 360-705-7733, to arrange for receiving job announcements in an alternative format, perhaps faxed to a tribal newsletter or Human Resource Office.

An internal Staff Development program of interest to tribes is the Government-to-Government Training. WSDOT contracts with the Governor's Office of Indian Affairs to access their curriculum and trainer. This course covers a tribal historical perspective, legal issues, tribal sovereignty, and tribal government. The goal of the program is to assist state employees in furthering their relationship with Washington State's 29 tribes. Upon completion of this course, participants should be able to:

1. Demonstrate a better understanding of tribes, their unique culture, governments, and legal status.
2. Demonstrate an enhanced awareness of the importance of multi-culturalism.
3. Foster the spirit of cooperation and partnership in the continuing evolution of the government-to-government relationship.

In 2001, 19 WSDOT staff completed Tribal Relations Training. In 2002, the number increased to 127, with assistance from the WSDOT Tribal Liaison Office and Governor's Office of Indian Affairs.

Definitions

Job Announcements: Advertisement of open positions/jobs.

Bulletin: Also known as Job Announcement.

Register: List of applicants who applied for specific positions and passed corresponding test(s).

Temporary Employment: When openings are available on a temporary basis. Time in temporary position cannot exceed 9 months or 1,560 hours within a 12-month period.

Project Work: A position with a limited time duration ends upon completion of the project.

Agency Promotional: Permanent state employee.

Open-competitive: Applicant not working for the state.

E&T: This is an evaluation of Experience and Training. Sometimes called an exam or test.

Local List: WSDOT has the authority to recruit, test, and hire without going through the Department of Personnel on a few certain jobs. Regional use of each job varies.

Consultation Processes and Procedures

We encourage all persons who seek local area employment opportunities to contact Regional Human Resource Offices for Local List and temporary opportunities:

Eastern Region	509-324-6000
North Central Region	509-667-3000
Northwest Region	206-440-4000
Olympic Region	360-357-2600
South Central Region	509-577-1600
Southwest Region	360-905-2000
Washington State Ferries	206-515-3400

Highways and Local Programs Division

Director: Kathleen Davis, 360-705-7871

The Highways and Local Programs Division provides federal oversight and financial support, as well as education and technical support, to local agencies. Those agencies include cities, counties, ports, transit agencies, tribal governments, and other transportation partners to help them succeed in meeting their transportation goals. The division supervises and administers local agency federal-aid programs, and assists agencies in obtaining federal funds to plan and/or improve transportation facilities. The division also manages and annually distributes federal funds to over 1,500 local agency, non-state highway enhancement projects and road and street construction projects.

An example of Highway and Local Programs success working with tribes is the designation of the Cape Flattery Tribal Scenic Byway. It was the result of a long-standing effort the Makah Tribe has made to implement heritage tourism as a tribal economic development strategy. This effort is documented in the “Tribal Tourism” publication of May 2001. The tribe is using the designation to help incorporate Indian Cultural Tourism into its long-term plans for economic development. The designation allowed the tribe to apply for National Scenic Byway grant funds from the Federal Highway Administration for development of a corridor management plan. The corridor management planning process will help the tribe decide how it wants to share its history, culture, and natural intrinsic qualities with the traveling public. The Makah Tribe is presently developing potential partnerships that will assist in their development efforts, and connect them to heritage tourism opportunities in the greater Olympic Peninsula and beyond. The Cape Flattery Tribal Scenic Byway will become a model for other tribal byways throughout the state.



Tribal, State, and Federal People Working Together

Front Row (l-r): Blanchard Matte, Makah Nation Transportation Planner; Joe Bonga, Bureau of Indian Affairs; and Colleen Jollie, WSDOT Tribal Liaison

2nd Row (l-r): Paula Connelly, WSDOT Heritage Corridors; Judy Lorenzo, Heritage Corridors Director; Nate Tyler, Makah Nation Vice Chair; and Secretary of Transportation Doug MacDonald

Top Left: Five-year-old Kayla Tyler

Services and Programs Available to the Tribes

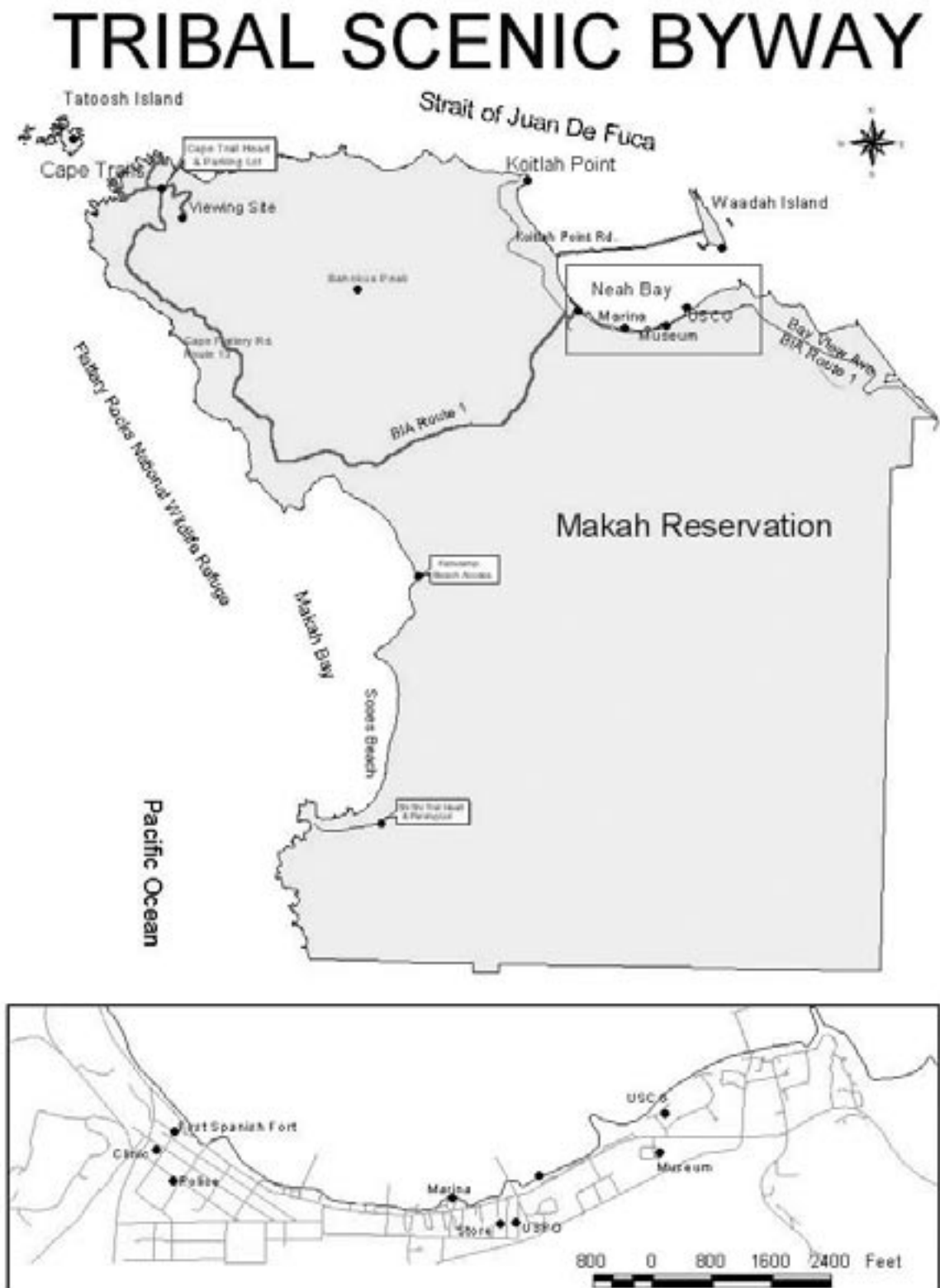
- The state Scenic Byway Program is a system of routes designated for their significant scenic, natural, recreational, historic, cultural, or archaeological intrinsic qualities. The program was created in 1967 by the state legislature to help designated routes enhance, protect, and preserve these qualities. Until the designation of The Cape Flattery Tribal Scenic Byway on the Makah Nation in April of 2002, designation of routes was limited to state highways. For more information, contact Judy Lorenzo at 360-705-7274.
- Federal TEA 21 funds are available to the tribes for transportation related projects as described by each particular funding program.
www.wsdot.wa.gov/TA/ProgMgt/Grants/
- Training program comprising of 85 to 90 classes per year in road maintenance and construction, technical and professional training. This includes Highway Program Financing, transportation grant writing, and National Highway Institute classes through FHWA. A quarterly “Educational Opportunities” is mailed to everyone on the mailing list. **www.wsdot.wa.gov/TA/T2Center/T2hp.htm**
- Quarterly technical “WST2” newsletter.
- Free transportation related publications.
www.wsdot.wa.gov/TA/T2Center/T2Pubs.HTM
- Video library of over 400 titles. Free checkout for three weeks.
www.wsdot.wa.gov/TA/T2Center/99-AVC.pdf
- Technical support (maintenance, pavements, traffic, transportation safety, GIS, and other computerized support systems).
- University of Washington TRANSPEED (Transportation Partnership in Engineering Education Development) training program. Forty classes yearly in technical and professional engineering development. Reduced fees to tribes and local agencies. Program is paid by Highways and Local Programs and WSDOT Staff Development. **www.engr.washington.edu/epp**
- Context sensitive solutions/design and community partnership resources.
www.wsdot.wa.gov/TA/PAandI/CommPart/ContextSensitive.html

Funding Methods Currently Available to the Tribes

STP-Regional funds from the Transportation Equity Act for the 21st Century (TEA 21) are distributed to MPO/RTPO for regional selections of transportation projects. Tribes should contact their local MPO/RTPO for further guidance (described in detail in the planning section).

Information on specific funding programs is available in a brochure titled, “Grants Available through Washington State Department of Transportation.” To request copies, contact Sally See, Highways and Local Programs Office, at 360-705-7372.

Tribal Scenic Byway Map



Public Transportation and Rail Division

Director: James Slakey, 360-705-7920

The Public Transportation and Rail Division provides mobility options by managing, coordinating, and advocating for rail and public transportation programs throughout the state. This division promotes both passenger and freight rail services in cooperation with Amtrak and other rail lines. The division also provides planning assistance, project oversight, technical assistance, and financial support to public transportation providers statewide. In addition, the division is responsible for the Commute Trip Reduction (CTR) and Transportation Demand Management (TDM) programs.

Services and Programs Available to the Tribes

The Demand Management and Public Transportation Office (DM&PT) offer a variety of technical services and financial programs available to tribes. Below is an overview of those services and programs:

Grant Programs

- *Federal Transit Administration (FTA) Section 5311 Program* – Provides operating and capital funding for public transportation projects serving rural areas.
- *FTA Section 5310 Program* – Provides capital funding for services designed to meet the transportation needs of elderly and persons with disabilities.
- *FTA Job Access/Reverse Commute Program* – Provides operating and capital funding for public transportation projects serving low-income persons to work and educational opportunities.
- *State Rural Mobility Program* – Provides operating, capital, and program development funding for public transportation projects serving rural areas
- *Freight Rail Assistance Program* – Provides capital assistance to preserve existing freight rail lines.

Rural Transit Assistance Program (RTAP) – This funding is received through the FTA for training and technical assistance to organizations who provide transportation services in rural areas and/or to persons with special transportation needs, persons who because of age, income status, or disability are unable to provide their own transportation.

The RTAP training program consists of two elements:

- *Training Scholarships* – Financial assistance to cover the costs of employee's tuition and travel expenses (except meals) to attend training classes, conferences, and seminars related to public transportation issues.

- *Washington State Transportation Training Coalition* – The purpose of the coalition is to provide low-cost training to meet the needs of public transportation employees. The coalition is comprised of various organizations with a vested interest in public transportation services. The coalition board is made up of representatives from:

Washington State Department of Transportation
Community Transportation Association of the Northwest
Washington State Transit Insurance Pool
Washington State Transit Association
Washington Technical Assistance Program (TTAP)

Vanpool Vehicle Lease Program – This program provides vanpool vehicles to governmental entities. The vehicles are provided to those entities through a low cost lease/rental agreement and must be used for vanpool services (i.e., groups commuting for employment or education).

Technical Assistance – Demand Management and Public Transportation Office (DM&PT) staff are available to provide technical assistance to all organizations that provide, or are interested in providing, public transportation services or vanpool programs. The technical assistance is provided free of charge and includes assistance with:

- Program development
- Project management
- Compliance with state and federal regulations
- Communications and marketing
- Coordination
- Grant writing

Funding Methods Currently Available to the Tribes

Grant Programs – All grants are awarded through a competitive process. The following programs are consolidated into a single application process:

- FTA 5310
- FTA 5311
- FTA 5311(f), Intercity Bus Program
- State Rural Mobility Program
- State Paratransit Program

There is no formula or guaranteed distribution to any recipient. Organizations who are awarded grants are required to enter into a formal contract that outlines the terms and conditions of the grant award. The grant programs listed above operate on the state biennial cycle, i.e., applications made in the summer of 2004 will be for projects beginning July 1, 2005. Technical assistance is available anytime. The Job Access Reverse Commute program opens periodically for applications depending on the availability of funds received from the FTA. The application standards are the same as with other FTA grant programs (5310 & 5311). However, these funds must be used to provide transportation services to low income individuals for work and educational purposes. For more information, contact Barb Savary at 360-705-7926

The Freight Rail Assistance Program opens periodically for applications from owners of freight rail lines. Tribes that do not own the freight line, and need freight rail assistance should work through the owner of the rail line. Tribes can identify the freight rail owners by contacting WSDOT's Rail Office at 360-705-7903

RTAP Scholarships — All public transportation employees who are interested in receiving an RTAP scholarship must apply for the scholarship at least 30 days before the training. If awarded a scholarship, the recipient's sponsor organization will be reimbursed for the eligible expenses. WSDOT will reimburse the sponsor organization at the rate of 100 percent for the first \$500 and 50 percent of the remaining cost (the maximum amount of each scholarship may not exceed \$1,500). Contact Barb Savary at 360-705-7926

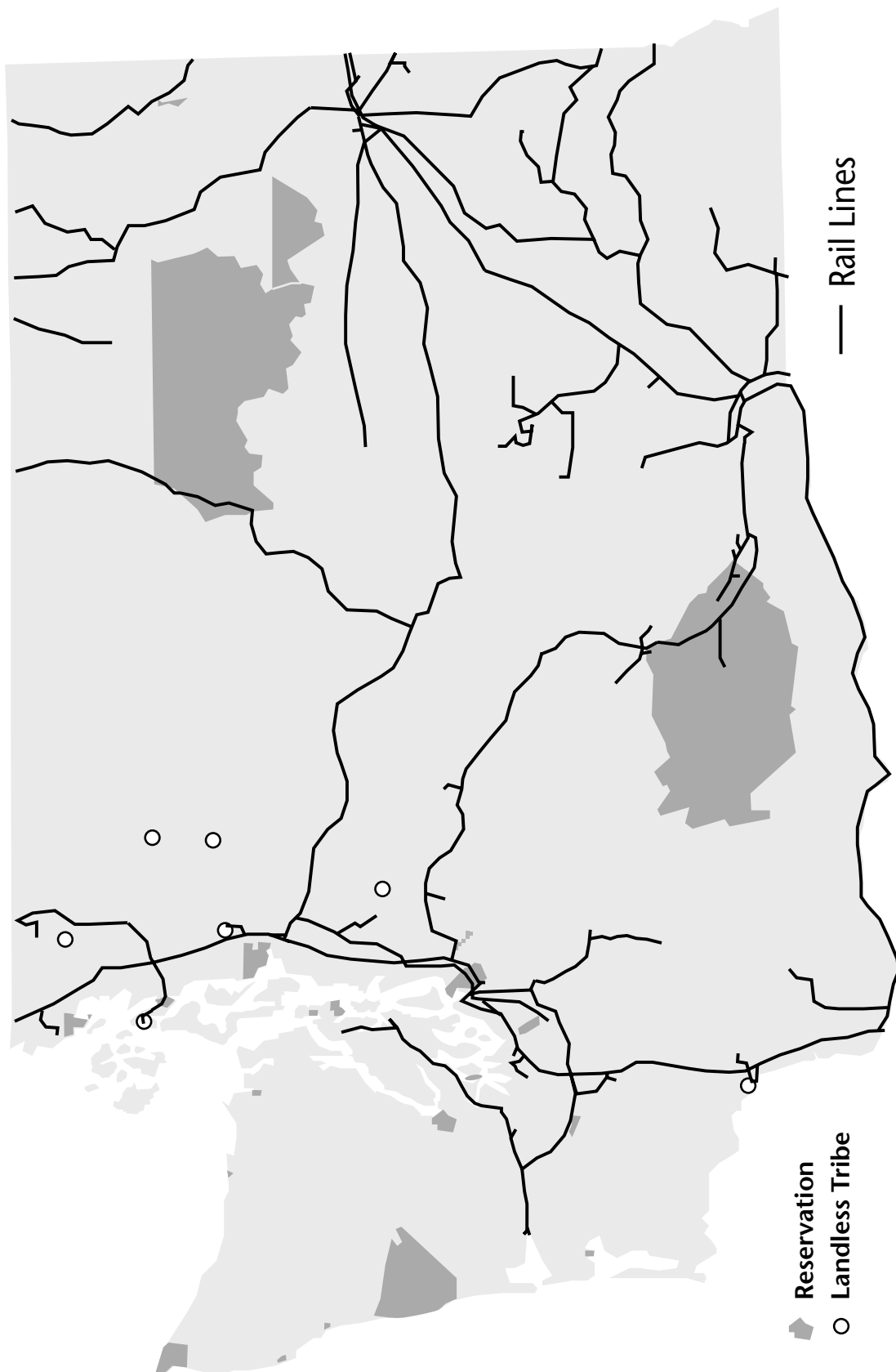
Consultation Processes and Procedures

In addition to the WSDOT consultation policy, all program applicants are encouraged to coordinate with the tribes in their area when developing and implementing their programs and projects. In addition, the DM&PT Office welcomes and solicits tribal participation in the evaluation of grant applications and when making changes to how the programs are administered.

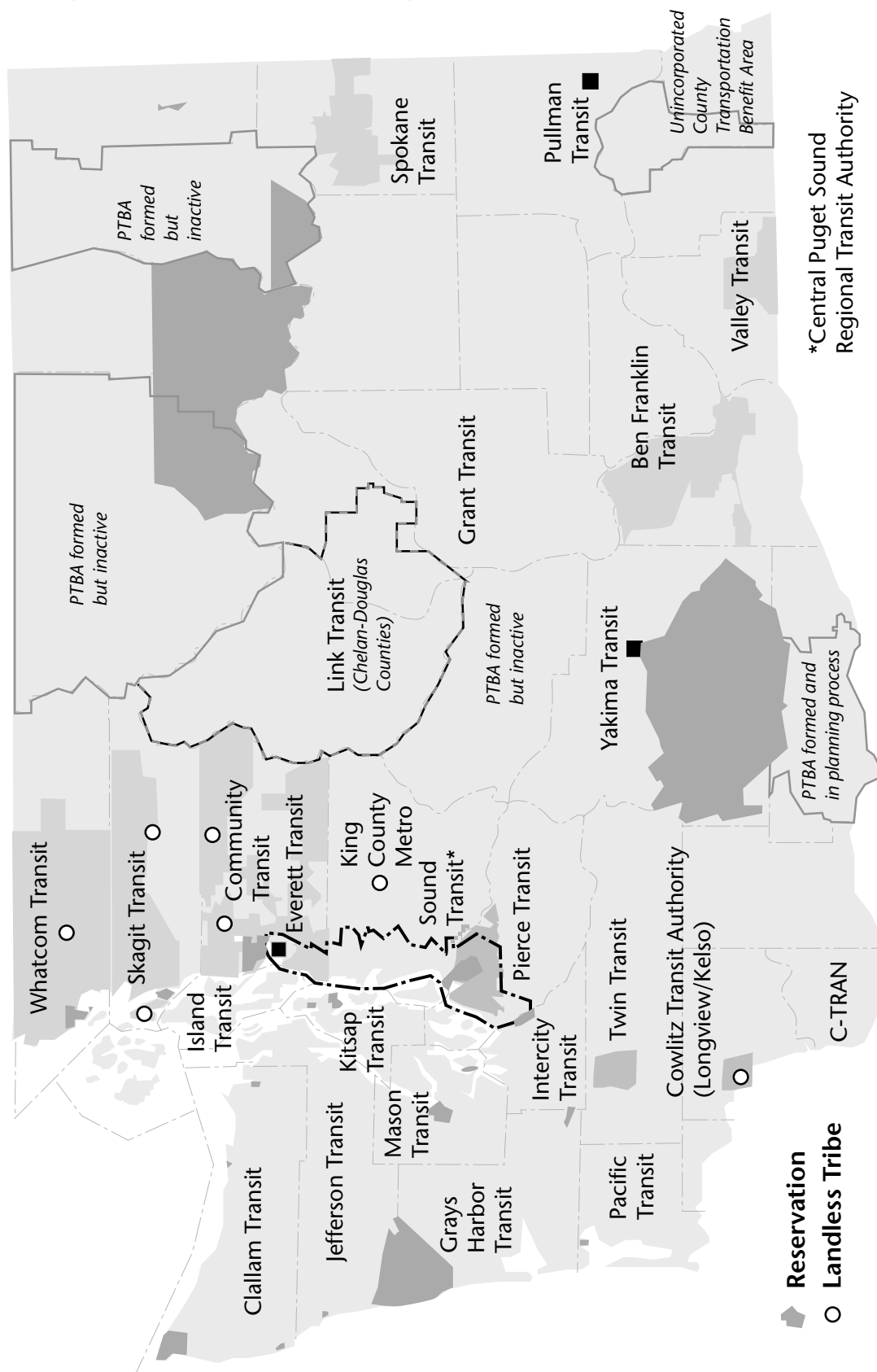
Dispute Resolution

In addition to WSDOT's dispute resolution policy, this office has a specific policy addressing grant application disputes. If a tribe is denied funding for any project, they may request an explanation from the DM&PT Office Manager. The appeal must be submitted in writing, signed by the tribal chair, and identify the grounds for the appeal. This process is used for all applicants including non-tribal organizations.

Washington State Rail System Map



Public Transportation Transit Authorities Map



Transportation Economic Partnerships Office

Director: Jerry Ellis, 360-664-2900

The Transportation Economic Partnership Office (TEP) is designed to foster partnerships with public entities and private firms to develop and operate transportation facilities throughout the state.

Services and Programs Available to the Tribes

TEP provides consulting services to businesses that require resolution of transportation issues. These services include problem identification, marshalling WSDOT expertise and resources to resolve issues, developing financing structures for transportation projects, and advocacy for Washington State business activity. TEP cases are identified by private businesses, and tribal business leaders are welcome to contact TEP for assistance with projects that involve business activity and the state transportation system.

Funding Methods Currently Available to the Tribes

Although TEP has no funding programs, TEP has expertise on funding sources and puts together financial plans and structures for financing transportation improvements in non-traditional ways. Examples include forming public-private partnerships, creating special taxing districts, directed funding from state and federal sources, as well as combinations of these and other approaches.

Consultation Processes and Procedures

Interested parties may contact Jerry Ellis at 360-664-2900. A caseworker will be assigned to assist the party with their project development and funding needs.

Washington State Ferries

Chief Executive Officer: Michael G. Thorne, 206-515-3401

Tribal Contact: Russell S. East, 206-515-3701

Since its creation on June 1, 1951, Washington State Ferries (WSF) has become the largest marine highway system in the United States and the third largest in the world. Over 25 million people a year ride on Washington State Ferries – more people than travel on Amtrak in a year. WSF is also the second-largest mass transportation system in the state – second only to Metro.

WSF operates 29 vessels and 20 ferry terminals throughout Puget Sound, from Pt. Defiance in the south, to Sidney, B.C., in the north. Thousands of commuters, employers, students, and commercial shippers depend on WSF every day for safe, reliable transportation across the Sound.

Services and Programs Available to the Tribes

WSF communicates with tribal fishers and performs its daily operations and special construction projects to better protect fish, shellfish, and cultural resources from harm to their habitat and to allow tribal members access to harvest these resources. It is in the area of terminal design and construction that tribes are primarily consulted. Russell S. East, Director of Terminal Engineering, is the tribal coordinator for WSF. He serves much as the Regional Tribal Coordinators do, to provide a main contact regarding tribal issues to WSF staff, and as an immediate contact for tribes within WSF.

Definitions

ISM: International Safety Management

RCW: Revised Code of Washington

SMS: Safety Management System

SOLAS: Safety of Life at Sea

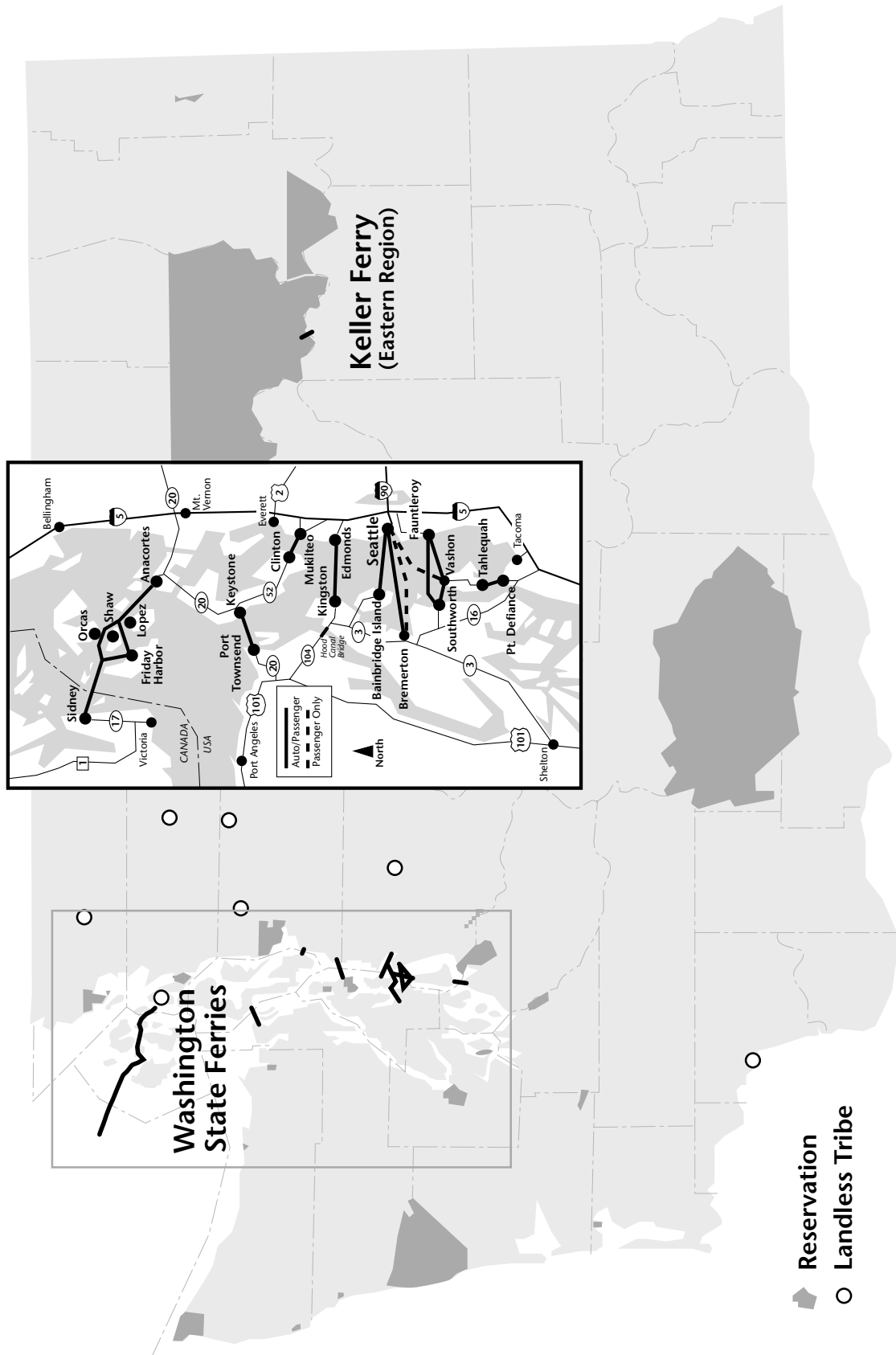
WSF: Washington State Ferries

Dispute Resolution Processes

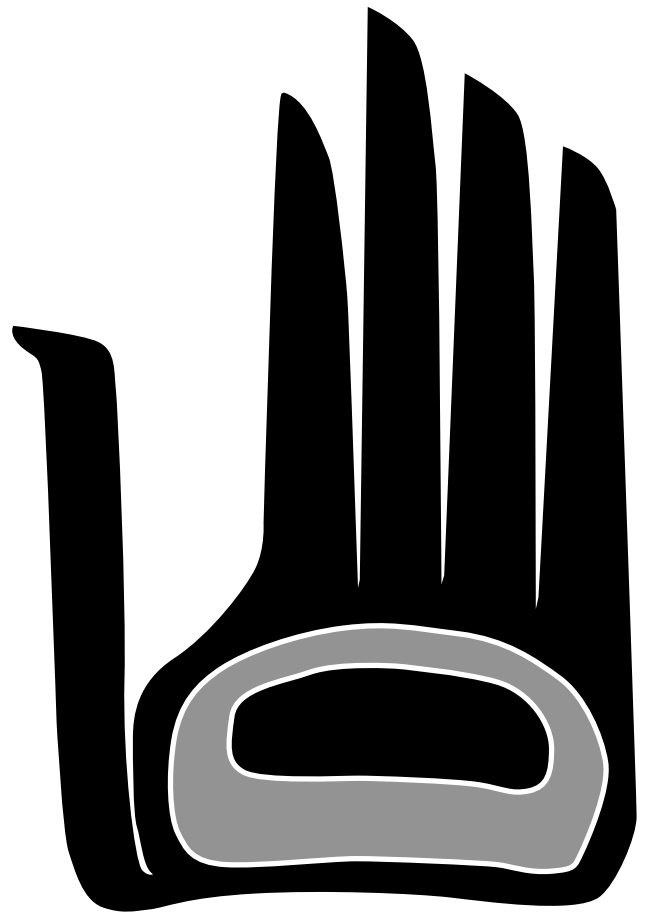
As a part of a state agency, there is a statutorily required formal tort claims process that is applied whenever another party's properties or resources are allegedly damaged by the negligence of the state. Example: If a WSF vessel ran over a tribal fishing net, the tribal member has the right to file a claim against the state and may recover the cost of their property if the state is found to have negligently caused the damages.

Initial contact regarding a claim or any dispute by a tribal member regarding WSF may be made through the WSF Tribal Coordinator, Russell S. East, at 206-515-3701. Written requests may be sent the WSF Tribal Coordinator, Attn: Russell S. East, 2911 2nd Avenue, Seattle, WA 98121.

State-owned Ferry Routes Map



Appendices



Appendix A Washington State Federally Recognized Indian Tribes

Governor's Office of Indian Affairs

Washington State Tribal Directory

November 2002

WASHINGTON STATE FEDERALLY RECOGNIZED INDIAN TRIBES

CHEHALIS CONFEDERATED TRIBES

The Honorable David Burnett, Chair
Chehalis Business Council
PO Box 536
Oakville, WA 98568
(360) 273-5911/753-3213 FAX (360) 273-5914
County: *Grays Harbor/Thurston*

COLVILLE CONFEDERATED TRIBES

The Honorable Joe A. Pakootas, Chair
Colville Business Council
PO Box 150
Nespelem, WA 99155
(509) 634-4711 FAX (509) 634-4116
County: *Okanogan/Ferry*

COWLITZ TRIBE

The Honorable John Barnett, Chair
Cowlitz Indian Tribe
PO Box 2547
Longview, WA 98632-8594
Ph: 360/ 577-8140 Fax: 360/ 577-7432
County: *Cowlitz*

HOH TRIBE

The Honorable Mary Leitka, Chair
Hoh Tribal Business Committee
2464 Lower Hoh Road
Forks, WA 98331
(360) 374-6582 FAX (360) 374-6549
County: *Jefferson*

JAMESTOWN S'KLALLAM TRIBE

The Honorable W. Ron Allen, Chair
Jamestown S'Klallam Indian Tribe
1033 Old Blyn Highway
Sequim, WA 98382
(360) 683-1109 FAX (360) 681-4643
County: *Clallam*

KALISPEL TRIBE

The Honorable Glen Nenema, Chair
Kalispele Business Committee
PO Box 39
Usk, WA 99180
(509) 445-1147 FAX (509) 445-1705
County: *Pend Oreille*

LOWER ELWHA KLALLAM TRIBE

The Honorable Dennis Sullivan, Chair
Elwha Klallam Business Council
2851 Lower Elwha Road
Port Angeles, WA 98363
(360) 452-8471 FAX (360) 452-3428
County: *Clallam*

LUMMI NATION

The Honorable Darrel Hillaire, Chair
Lummi Business Council
2616 Kwina Road
Bellingham, WA 98226-9298
(360) 384-1489 FAX (360) 380-1850
County: *Whatcom*

MAKAH TRIBE

The Honorable Nathan Tyler, Chair
Makah Tribal Council
PO Box 115
Neah Bay, WA 98357
(360) 645-2201 FAX (360) 645-2788
County: *Clallam*

MUCKLESHOOT TRIBE

The Honorable John Daniels, Jr., Chair
Muckleshoot Tribal Council
39015 172nd Avenue SE
Auburn, WA 98092
(253) 939-3311 FAX (253) 939-5311
County: *King*

NISQUALLY TRIBE

The Honorable John Simmons, Chair
Nisqually Indian Tribe
4820 She-Nah-Num Drive SE
Olympia, WA 98513
(360) 456-5221 FAX (360) 407-0125
County: *Thurston*

NOOKSACK TRIBE

The Honorable Art George, Chair
Nooksack Indian Tribal Council
PO Box 157
Deming, WA 98244
(360) 592-5176 FAX (360) 592-5721
County: *Whatcom*

WASHINGTON STATE FEDERALLY RECOGNIZED INDIAN TRIBES (continued pg. 2)

PORT GAMBLE S'KLALLAM TRIBE

The Honorable Ronald Charles, Chair
Port Gamble Business Committee
31912 Little Boston Road NE
Kingston, WA 98346
(360) 297-2646 FAX (360) 297-7097
County: *Kitsap*

PUYALLUP TRIBE

The Honorable William Sterud, Chair
Puyallup Tribal Council
2002 East 28th Street
Tacoma, WA 98404
(253) 573-7800 FAX (253) 573-7929
County: *Pierce*

QUILEUTE TRIBE

The Honorable Russell Woodruff, Sr., Chair
Quileute Tribal Council
PO Box 279
La Push, WA 98350
(360) 374-6163 FAX (360) 374-6311
County: *Clallam*

QUINAUT NATION

The Honorable Pearl Capoean-Baller, President
Quinault Business Committee
PO Box 189
Taholah, WA 98587
(360) 276-8211 FAX (360) 276-4191
County: *Grays Harbor*

SAMISH NATION

The Honorable Kenneth Hansen, Chair
Samish Tribe of Indians
PO Box 217
Anacortes, WA 98221
(360) 293-6404 FAX (360) 299-0790
County: *Skagit*

SAUK-SUIATTLE TRIBE

The Honorable Jason L. Joseph, Chair
Sauk-Suiattle Indian Tribe
5318 Chief Brown Lane
Darrington, WA 98241
(360) 436-0131 FAX (360) 436-1511
County: *Skagit*

SHOALWATER BAY TRIBE

The Honorable Carl Johnson, Jr., Chair
Shoalwater Bay Tribal Council
PO Box 130
Tokeland, WA 98590
(360) 267-6766 FAX (360) 267-6778
County: *Pacific*

SKOKOMISH TRIBE

The Honorable Gordon James, Chair
Skokomish Tribal Council
N. 80 Tribal Center Road
Shelton, WA 98584
(360) 426-4232 FAX (360) 877-5943
County: *Mason*

SNOQUALMIE TRIBE

The Honorable Joseph Mullen, Chair
Snoqualmie Tribe of Indians
PO Box 670
Fall City, WA 98024
(425) 333-6551 FAX (425) 333-6727
(425) 222-6900 FAX (425) 222-7798
County: *King*

SPOKANE TRIBE

The Honorable Alfred Peone, Chair
Spokane Tribal Business Council
PO Box 100
Wellpinit, WA 99040
(509) 258-4581 FAX (509) 258-9243
County: *Stevens*

SQUAXIN ISLAND TRIBE

The Honorable David Lopeman, Chair
Squaxin Island Tribal Council
SE 70 Squaxin Lane
Shelton, WA 98584
(360) 426-9781 FAX (360) 426-6577
County: *Mason*

STILLAGUAMISH TRIBE

The Honorable Edward L. Goodridge, Sr.
Stillaguamish Board of Directors
3439 Stoluckquamish Lane
Arlington, WA 98223
(360) 652-7362 FAX (360) 435-7689
County: *Snohomish*

Governor's Office of Indian Affairs

Washington State Tribal Directory

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WASHINGTON STATE FEDERALLY RECOGNIZED INDIAN TRIBES (continued pg. 3)

SUQUAMISH TRIBE

The Honorable Bennie J. Armstrong, Chair
 Suquamish Tribal Council
 PO Box 498
 Suquamish, WA 98392
 (360) 598-3311 FAX (360) 598-6295
 County: *Kitsap*

SWINOMISH TRIBE

The Honorable Brian Cladoosby, Chair
 Swinomish Indian Senate
 PO Box 817
 LaConner, WA 98257
 (360) 466-3163 FAX (360) 466-5309
 County: *Skagit*

TULALIP TRIBES

The Honorable Herman Williams, Jr., Chair
 Tulalip Board of Directors
 6700 Totem Beach Road
 Marysville, WA 98270-9694
 (360) 651-4000 FAX (360) 651-4032
 County: *Snohomish*

UPPER SKAGIT TRIBE

The Honorable Marilyn Scott, Chair
 Upper Skagit Tribal Council
 25944 Community Plaza
 Sedro Woolley, WA 98284
 (360) 854-7000 FAX (360) 854-7004
 County: *Skagit*

YAKAMA NATION

The Honorable Ross Sockzehigh, Chair
 Yakama Tribal Council
 PO Box 151
 Toppenish, WA 98948
 (509) 865-5121 FAX (509) 865-5528
 County: *Yakima/Klickitat*

Centennial Accord
between the
Federally Recognized Indian Tribes in Washington State
and the
State of Washington

1. Preamble and Guiding Principles

This *Accord* dated August 4, 1989, is executed between the federally recognized Indian tribes of Washington signatory to this *Accord* and the State of Washington, through its governor, in order to better achieve mutual goals through an improved relationship between their sovereign governments. This *Accord* provides a framework for that government-to-government relationship and implementation procedures to assure execution of that relationship.

Each party to this *Accord* respects the sovereignty of the other. The respective sovereignty of the state and each federally recognized tribe provides paramount authority for that party to exist and to govern. The parties share in their relationship particular respect for the values and culture represented by tribal governments. Further, the parties share a desire for a complete *Accord* between the State of Washington and the federally recognized tribes in Washington reflecting a full government-to-government relationship and will work with all elements of state and tribal governments to achieve such an *Accord*.

2. Parties

There are twenty-eight federally recognized Indian tribes in the state of Washington. Each sovereign tribe has an independent relationship with each other and the state. This *Accord*, provides the framework for that relationship between the state of Washington, through its governor, and the signatory tribes.

The parties recognize that the state of Washington is governed in part by independent state officials. Therefore, although, this *Accord* has been initiated by the signatory tribes and the governor, it welcomes the participation of, inclusion in and execution by chief representatives of all elements of state government so that the government-to-government relationship described herein is completely and broadly implemented between the state and the tribes.

3. Purposes and Objectives

This *Accord* illustrates the commitment by the parties to implementation of the government-to-government relationship, a relationship reaffirmed as state policy by gubernatorial proclamation January 3, 1989. This relationship respects the sovereign status of the parties, enhances and improves communications between them, and facilitates the resolution of issues.

This *Accord* is intended to build confidence among the parties in the government-to-government relationship by outlining the process for implementing the policy. Not only is this process intended to implement the relationship, but also it is intended to

institutionalize it within the organizations represented by the parties. The parties will continue to strive for complete institutionalization of the government-to-government relationship by seeking an *Accord* among all the tribes and all elements of state government.

This *Accord* also commits the parties to the initial tasks that will translate the government-to-government relationship into more-efficient, improved and beneficial services to Indian and non-Indian people. This *Accord* encourages and provides the foundation and framework for specific agreements among the parties outlining specific tasks to address or resolve specific issues.

The parties recognize that implementation of this *Accord* will require a comprehensive educational effort to promote understanding of the government-to-government relationship within their own governmental organizations and with the public.

4. Implementation Process and Responsibilities

While this *Accord* addresses the relationship between the parties, its ultimate purpose is to improve the services delivered to people by the parties. Immediately and periodically, the parties shall establish goals for improved services and identify the obstacles to the achievement of those goals. At an annual meeting, the parties will develop joint strategies and specific agreements to outline tasks, overcome obstacles and achieve specific goals.

The parties recognize that a key principle of their relationship is a requirement that individuals working to resolve issues of mutual concern are accountable to act in a manner consistent with this *Accord*.

The state of Washington is organized into a variety of large but separate departments under its Governor, other independently elected officials and a variety of boards and commissions. Each tribe, on the other hand, is a unique government organization with different management and decision-making structures.

The chief of staff of the Governor of the state of Washington is accountable to the Governor for implementation of this *Accord*. State agency directors are accountable to the governor through the chief of staff for the related activities of their agencies. Each director will initiate a procedure within his/her agency by which the government-to-government policy will be implemented. Among other things, these procedures will require persons responsible for dealing with issues of mutual concern to respect the government-to-government relationship within which the issue must be addressed. Each agency will establish a documented plan of accountability and may establish a more detailed implementation procedure in subsequent agreements between tribes and the particular agency.

The parties recognize that their relationship will successfully address issues of mutual concern when communication is clear, direct and between persons responsible for addressing the concern. The parties recognize that in state government, accountability is best achieved when this responsibility rests solely within each state agency. Therefore, it is the objective of the state that each particular agency be directly accountable for implementation of the government-to-government relationship in dealing with issues of concern to the parties. Each agency will facilitate this objective by identifying individuals directly responsible for issues of mutual concern.

Each tribe also recognizes that a system of accountability within its organization is critical to successful implementation of the relationship. Therefore, tribal officials will direct their staff to communicate within the spirit of this *Accord* with the particular agency which, under the organization of state government, has the authority and responsibility to deal with the particular issue of concern to the tribe.

In order to accomplish these objectives, each tribe must ensure that its current tribal organization, decision-making process and relevant tribal personnel is known to each state agency with which the tribe is addressing an issue of mutual concern. Further, each tribe may establish a more detailed organizational structure, decision-making process, system of accountability, and other procedures for implementing the government-to-government relationship in subsequent agreements with various state agencies. Finally, each tribe will establish a documented system of accountability.

As a component of the system of accountability within state and tribal governments, the parties will review and evaluate at the annual meeting the implementation of the government-to-government relationship. A management report will be issued summarizing this evaluation and will include joint strategies and specific agreements to outline tasks, overcome obstacles, and achieve specific goals.

The chief of staff also will use his/her organizational discretion to help implement the government-to-government relationship. The Office of Indian Affairs will assist the chief of staff in implementing the government-to-government relationship by providing state agency directors information with which to educate employees and constituent groups as defined in the accountability plan about the requirement of the government-to-government relationship. The Office of Indian Affairs shall also perform other duties as defined by the chief of staff.

5. Sovereignty and Disclaimers

Each of the parties respects the sovereignty of each other party. In executing this *Accord*, no party waives any rights, including treaty rights, immunities, including sovereign immunities, or jurisdiction. Neither does this *Accord* diminish any rights or protections afforded other Indian persons or entities under state or federal law. Through this *Accord* parties strengthen their collective ability to successfully resolve issues of mutual concern.

While the relationship described by this *Accord* provides increased ability to solve problems, it likely will not result in a resolution of all issues. Therefore, inherent in their relationship is the right of each of the parties to elevate an issue of importance to any decision-making authority of another party, including, where appropriate, that party's executive office.

Signatory parties have executed this *Accord* on the date August 4, 1989 and agreed to be duly bound by its commitments: (28 federally recognized tribes and the Governor of Washington State as of this printing, 2001.)

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Presidential Documents

Federal Register
Vol. 65, No. 218
Thursday, November 9, 2000

Title 3—

Executive Order 13175 of November 6, 2000

The President

Consultation and Coordination With Indian Tribal Governments

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian tribes; it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

- (a) “Policies that have tribal implications” refers to regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.
- (b) “Indian tribe” means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a.
- (c) “Agency” means any authority of the United States that is an “agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).
- (d) “Tribal officials” means elected or duly appointed officials of Indian tribal governments or authorized intertribal organizations.

Sec. 2. Fundamental Principles. In formulating or implementing policies that have tribal implications, agencies shall be guided by the following fundamental principles:

- (a) The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive Orders, and court decisions. Since the formation of the Union, the United States has recognized Indian tribes as domestic dependent nations under its protection. The Federal Government has enacted numerous statutes and promulgated numerous regulations that establish and define a trust relationship with Indian tribes.
- (b) Our Nation, under the law of the United States, in accordance with treaties, statutes, Executive Orders, and judicial decisions, has recognized the right of Indian tribes to self-government. As domestic dependent nations, Indian tribes exercise inherent sovereign powers over their members and territory. The United States continues to work with Indian tribes on a

government-to-government basis to address issues concerning Indian tribal self-government, tribal trust resources, and Indian tribal treaty and other rights.

(c) The United States recognizes the right of Indian tribes to self-government and supports tribal sovereignty and self-determination.

Sec. 3. *Polymaking Criteria.* In addition to adhering to the fundamental principles set forth in section 2, agencies shall adhere, to the extent permitted by law, to the following criteria when formulating and implementing policies that have tribal implications:

(a) Agencies shall respect Indian tribal self-government and sovereignty, honor tribal treaty and other rights, and strive to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Indian tribal governments.

(b) With respect to Federal statutes and regulations administered by Indian tribal governments, the Federal Government shall grant Indian tribal governments the maximum administrative discretion possible.

(c) When undertaking to formulate and implement policies that have tribal implications, agencies shall:

(1) encourage Indian tribes to develop their own policies to achieve program objectives;

(2) where possible, defer to Indian tribes to establish standards; and

(3) in determining whether to establish Federal standards, consult with tribal officials as to the need for Federal standards and any alternatives that would limit the scope of Federal standards or otherwise preserve the prerogatives and authority of Indian tribes.

Sec. 4. *Special Requirements for Legislative Proposals.* Agencies shall not submit to the Congress legislation that would be inconsistent with the policymaking criteria in Section 3.

Sec. 5. *Consultation.* (a) Each agency shall have an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications. Within 30 days after the effective date of this order, the head of each agency shall designate an official with principal responsibility for the agency's implementation of this order. Within 60 days of the effective date of this order, the designated official shall submit to the Office of Management and Budget (OMB) a description of the agency's consultation process.

(b) To the extent practicable and permitted by law, no agency shall promulgate any regulation that has tribal implications, that imposes substantial direct compliance costs on Indian tribal governments, and that is not required by statute, unless:

(1) funds necessary to pay the direct costs incurred by the Indian tribal government or the tribe in complying with the regulation are provided by the Federal Government; or

(2) the agency, prior to the formal promulgation of the regulation, (A) consulted with tribal officials early in the process of developing the proposed regulation;

(B) in a separately identified portion of the preamble to the regulation as it is to be issued in the **Federal Register**, provides to the Director of

OMB a tribal summary impact statement, which consists of a description of the extent of the agency's prior consultation with tribal officials, a summary of the nature of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which the concerns of tribal officials have been met; and

(C) makes available to the Director of OMB any written communications submitted to the agency by tribal officials.

(c) To the extent practicable and permitted by law, no agency shall promulgate any regulation that has tribal implications and that preempts tribal law unless the agency, prior to the formal promulgation of the regulation,

(1) consulted with tribal officials early in the process of developing the proposed regulation;

(2) in a separately identified portion of the preamble to the regulation as it is to be issued in the **Federal Register**, provides to the Director of OMB a tribal summary impact statement, which consists of a description of the extent of the agency's prior consultation with tribal officials, a summary of the nature of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which the concerns of tribal officials have been met; and

(3) makes available to the Director of OMB any written communications submitted to the agency by tribal officials.

(d) On issues relating to tribal self-government, tribal trust resources, or Indian tribal treaty and other rights, each agency should explore and, where appropriate, use consensual mechanisms for developing regulations, including negotiated rulemaking.

Sec. 6. Increasing Flexibility for Indian Tribal Waivers.

(a) Agencies shall review the processes under which Indian tribes apply for waivers of statutory and regulatory requirements and take appropriate steps to streamline those processes.

(b) Each agency shall, to the extent practicable and permitted by law, consider any application by an Indian tribe for a waiver of statutory or regulatory requirements in connection with any program administered by the agency with a general view toward increasing opportunities for utilizing flexible policy approaches at the Indian tribal level in cases in which the proposed waiver is consistent with the applicable Federal policy objectives and is otherwise appropriate.

(c) Each agency shall, to the extent practicable and permitted by law, render a decision upon a complete application for a waiver within 120 days of receipt of such application by the agency, or as otherwise provided by law or regulation. If the application for waiver is not granted, the agency shall provide the applicant with timely written notice of the decision and the reasons therefor.

(d) This section applies only to statutory or regulatory requirements that are discretionary and subject to waiver by the agency.

Sec. 7. Accountability.

(a) In transmitting any draft final regulation that has tribal implications to OMB pursuant to Executive Order 12866 of September 30, 1993, each agency shall include a certification from the official designated to ensure

compliance with this order stating that the requirements of this order have been met in a meaningful and timely manner.

(b) In transmitting proposed legislation that has tribal implications to OMB, each agency shall include a certification from the official designated to ensure compliance with this order that all relevant requirements of this order have been met.

(c) Within 180 days after the effective date of this order the Director of OMB and the Assistant to the President for Intergovernmental Affairs shall confer with tribal officials to ensure that this order is being properly and effectively implemented.

Sec. 8. Independent Agencies. Independent regulatory agencies are encouraged to comply with the provisions of this order.

Sec. 9. General Provisions. (a) This order shall supplement but not supersede the requirements contained in Executive Order 12866 (Regulatory Planning and Review), Executive Order 12988 (Civil Justice Reform), OMB Circular A-19, and the Executive Memorandum of April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments.

(b) This order shall complement the consultation and waiver provisions in sections 6 and 7 of Executive Order 13132 (Federalism).

(c) Executive Order 13084 (Consultation and Coordination with Indian Tribal Governments) is revoked at the time this order takes effect.

(d) This order shall be effective 60 days after the date of this order.

Sec. 10. Judicial Review. This order is intended only to improve the internal management of the executive branch, and is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law by a party against the United States, its agencies, or any person.



THE WHITE HOUSE,
November 6, 2000.

National Historic Preservation Act (NHPA)**Section 1**

[16 U.S.C. 470 — Short title of the Act]

- (a) This Act may be cited as the "National Historic Preservation Act".

[Purpose of the Act]

- (b) The Congress finds and declares that - —
- (1) the spirit and direction of the Nation are founded upon and reflected in its historic heritage;
 - (2) the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;
 - (3) historic properties significant to the Nation's heritage are being lost or substantially altered, often inadvertently, with increasing frequency;
 - (4) the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans;
 - (5) in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation;
 - (6) the increased knowledge of our historic resources, the establishment of better means of identifying and administering them, and the encouragement of their preservation will improve the planning and execution of Federal and federally assisted projects and will assist economic growth and development; and
 - (7) although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

Section 2

[16 U.S.C. 470-1 — Declaration of policy of the Federal Government]

It shall be the policy of the Federal Government, in cooperation with other nations and in partnership with the States, local governments, Indian tribes, and private organizations and individuals to —

- (1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;
- (2) provide leadership in the preservation of the prehistoric and historic resources of the United States and of the international community of nations and in the administration of the national preservation program in partnership with States, Indian tribes, Native Hawaiians, and local governments;
- (3) administer federally owned, administered, or controlled prehistoric and historic resources in a spirit of stewardship for the inspiration and benefit of present and future generations;
- (4) contribute to the preservation of nonfederally owned prehistoric and historic resources and give maximum encouragement to organizations and individuals undertaking preservation by private means;
- (5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and
- (6) assist State and local governments, Indian tribes and Native Hawaiian organizations and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

Section 101

[16 U.S.C. 470a(d) — Establish program and regulations to assist Indian tribes]

- (d) (1) (A) The Secretary shall establish a program and promulgate regulations to assist Indian tribes in preserving their particular historic properties. The Secretary shall foster communication and cooperation between Indian tribes and State Historic Preservation Officers in the administration of the national historic preservation program to ensure that all types of historic properties and all public interests in such properties are given due consideration, and to

encourage coordination among Indian tribes, State Historic Preservation Officers, and Federal agencies in historic preservation planning and in the identification, evaluation, protection, and interpretation of historic properties.

- (B) The program under subparagraph (A) shall be developed in such a manner as to ensure that tribal values are taken into account to the extent feasible. The Secretary may waive or modify requirements of this section to conform to the cultural setting of tribal heritage preservation goals and objectives. The tribal programs implemented by specific tribal organizations may vary in scope, as determined by each tribe's chief governing authority.
- (C) The Secretary shall consult with Indian tribes, other Federal agencies, State Historic Preservation Officers, and other interested parties and initiate the program under subparagraph (A) by not later than October 1, 1994.

[Indian Tribes may assume State Historic Preservation Officer functions]

- (2) A tribe may assume all or any part of the functions of a State Historic Preservation Officer in accordance with subsections (b)(2) and (b)(3) of this section, with respect to tribal lands, as such responsibilities may be modified for tribal programs through regulations issued by the Secretary if —
 - (A) the tribe's chief governing authority so requests;
 - (B) the tribe designates a tribal preservation official to administer the tribal historic preservation program, through appointment by the tribe's chief governing authority or as a tribal ordinance may otherwise provide;
 - (C) the tribal preservation official provides the Secretary with a plan describing how the functions the tribal preservation official proposes to assume will be carried out;
 - (D) the Secretary determines, after consultation with the tribe, the appropriate State Historic Preservation Officer, the Council (if the tribe proposes to assume the functions of the State Historic Preservation Officer with respect to review of undertakings under section 106 of this Act), and other tribes, if any, whose tribal or aboriginal lands may be affected by conduct of the tribal preservation program —
 - (i) that the tribal preservation program is fully capable of carrying out the functions specified in the plan provided under subparagraph (C);
 - (ii) that the plan defines the remaining responsibilities of the Secretary and the State Historic Preservation Officer; and

- (iii) that the plan provides, with respect to properties neither owned by a member of the tribe nor held in trust by the Secretary for the benefit of the tribe, at the request of the owner thereof, the State Historic Preservation Officer, in addition to the tribal preservation official, may exercise the historic preservation responsibilities in accordance with subsections (b)(2) and (b)(3) of this section; and

(E) based on satisfaction of the conditions stated in subparagraphs (A), (B), (C), and (D), the Secretary approves the plan.

- (3) In consultation with interested Indian tribes, other Native American organizations and affected State Historic Preservation Officers, the Secretary shall establish and implement procedures for carrying out section 103(a) of this Act with respect to tribal programs that assume responsibilities under paragraph (2).

- (4) At the request of a tribe whose preservation program has been approved to assume functions and responsibilities pursuant to paragraph (2), the Secretary shall enter into contracts or cooperative agreements with such tribe permitting the assumption by the tribe of any part of the responsibilities referred to in subsection (b)(6) of this section on tribal land, if —

(A) the Secretary and the tribe agree on additional financial assistance, if any, to the tribe for the costs of carrying out such authorities;

(B) the Secretary finds that the tribal historic preservation program has been demonstrated to be sufficient to carry out the contract or cooperative agreement and this Act; and

(C) the contract or cooperative agreement specifies the continuing responsibilities of the Secretary or of the appropriate State Historic Preservation Officers and provides for appropriate participation by —

- (i) the tribe's traditional cultural authorities;
- (ii) representatives of other tribes whose traditional lands are under the jurisdiction of the tribe assuming responsibilities; and
- (iii) the interested public.

- (5) The Council may enter into an agreement with an Indian tribe to permit undertakings on tribal land to be reviewed under tribal historic preservation regulations in place of review under regulations promulgated by the Council to govern compliance with section 106 of this Act, if the Council, after consultation with the tribe and appropriate State Historic Preservation Officers, determines that the tribal preservation regulations will afford historic properties consideration equivalent to those afforded by the Council's regulations.

[Traditional religious and cultural properties may be eligible for listing in the National Register]

(6) (A) Properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion on the National Register.

(B) In carrying out its responsibilities under section 106 of this Act, a Federal agency shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to properties described in subparagraph (A).

(C) In carrying out his or her responsibilities under subsection (b)(3) of this section, the State Historic Preservation Officer for the State of Hawaii shall —

- (i) consult with Native Hawaiian organizations in assessing the cultural significance of any property in determining whether to nominate such property to the National Register;
- (ii) consult with Native Hawaiian organizations in developing the cultural component of a preservation program or plan for such property; and
- (iii) enter into a memorandum of understanding or agreement with Native Hawaiian organizations for the assessment of the cultural significance of a property in determining whether to nominate such property to the National Register and to carry out the cultural component of such preservation program or plan.

